Tuscaloosa Reward Swelled

TUSCALOOSA (UPI) — The Chamber of Commerce here believes reward money for information about a flogging here last month is now great enough to "get someone to talk."

John Caldwell, assistant manager of the chamber, said $2,060 has been posted for information leading to the conviction of those responsible for the beating of David James Fackler, 24, former assistant pastor at the University of Alabama Lutheran Church. The young white minister claims a group of white men dragged him from his church and flogged him March 16.

"We are trying to build up enough money to get someone to talk," Caldwell said.

Fackler, who filed a complaint with the FBI in New Orleans, said prior to the incident he held a human relations seminar at his church which was attended by a small group of Negroes.

Caldwell said contributions to the reward fund were made by: First National Bank, $500; City National Bank, $500; The Tuscaloosa News, $500; Chamber of Commerce, $500; University Ministerial Association, $25; and miscellaneous donations, $35.

Flogging case reward has reached $2060

TUSCALOOSA, Ala., April 15—Reward money for information about a reported flogging here now stands at $2060.

John Caldwell, assistant manager, Tuscaloosa Chamber of Commerce, said the Chamber is trying to build up enough money "to get someone to talk."

The alleged flogging occurred March 16. James David Fackler, student intern at University Lutheran Church, said a group of white men took him from the church to a rural field, where they beat him.

Fackler, who filed his complaint in New Orleans with the FBI, said that prior to the flogging he had held an interracial human relations seminar at the church.

These are contributors of the reward so far:

First National Bank, $500: City National Bank, $500: Tuscaloosa newspapers, $500: Chamber of Commerce, $500; University Ministerial Assn., $25; miscellaneous, $35.

Five Add To Reward In Flogging

Special to The Post-Herald

TUSCALOOSA, April 17—Five new donations of $100 each have been added to the reward money for information leading to the arrest and conviction of persons responsible for the flogging of a ministerial student here March 16.

The latest donations were made anonymously.

The Chamber of Commerce started off the reward fund with $500, and the total now is $2750.

James D. Fackler, 24, who left Tuscaloosa and went to New Orleans after he reportedly was taken by a group of white men outside the Lutheran Church here, said the men warned him against holding further interracial meetings at the church.

He reported the men took him outside town and whipped him.

Negro Wounded In Gun Fight With Deputies

PHENIX CITY (AP) — A 58 year-old Crawford, Negro man wanted for questioning in the slaying of his common law wife Monday night, was in critical condition at Cobb Memorial Hospital Tuesday after he was wounded in an exchange of rifle and pistol fire with Russell County sheriff's deputies.

The man, identified by Chief Deputy Prentiss L. Griffith as Bradley Sellers, was the object of an 18-hour bloodhound search after Dovie Gillam, 48, was found dead of stab and .22 caliber let wounds on the back porch of her house about two miles east of Crawford Monday night.

Sellers was wounded by a .22 caliber slug just below the right eye, Griffith said, after the Negro opened fire on officers about a mile south of Crawford this morning.

NEGRO IS ACQUITTED

Lacey Springs Youth Is Cleared Of Burglary

DECATUR, Ala., March 17.—(UPI)—Negro James Andrew Chapman of Lacey Springs Friday was found innocent of first degree burglary after a Circuit Court jury deliberated about an hour and 45 minutes.

However, the 19-year-old Negro still is not free. He is to go before Judge James Bloodworth for possible revocation of a two-year probation imposed last fall.

The Negro was accused of breaking into the trailer home of Mr. and Mrs. Lewis West last Jan. 1.

Mr. West fired 15 shots from a .22 caliber rifle at a fleeing figure shortly after Mrs. West said she awoke to find a man standing beside her bed.

Later, Chapman was arrested at a nearby home with a bullet wound in his leg.

However, solicitor George Johnson brought in a witness who corroborated Chapman's story that he was only passing by the trailer when someone began shooting at him.

Brass Burial Urn Mystery Solved Here

The mystery of a brass burial urn found at a Montgomery scrap firm was solved Monday night with disclosure that it once contained the remains of Mrs. Wynona Ford Bell.

N. J. Bell III said the ashes of his aunt were removed from the urn shortly after she died here in 1948 because the container was too large to place in the Bell family vault in Oakwood Cemetery.

He said the remains were transferred to a small metal container which was situated in the vault alongside other members of the family.

THROWN AWAY

The brass urn, Bell said, was aparently left at the old Montgomery Marble Works which handled the engraving work. He expressed belief that the container was thrown away as scrap metal when the marble firm went out of business about three months ago.

He said Mrs. Bell was the ex-wife of his uncle, N. H. Bell, who is also buried in the family vault.

Bell, 1746 S. Perry St., said his late aunt has no blood relaties living in Montgomery.

The urn was discovered at the Mount Scrap Material Co., 824 N. Decatur St., several days ago by assistant manager Elmer Ward.

AS ORNAMENT

"We didn't know what it was at first," Ward said. "We finally decided it was a trophy of some sort and put in one of the storage houses as an ornament. Later on, after considering the matter carefully, we came to the conclusion that it was a burial urn."

Bell went to the scrap metal firm and examined the urn after reading an article about the discovery in a local newspaper.

Ashes are stored in such urns after the body of a diseased person is buried in a crematorium.

SECOND URN

This was the second time in the past week that a burial urn has been found in Alabama. The other turned up at a scrap foundry near Anniston, and an investigation revealed it was buried in California 16 years ago.

Calhoun County Coroner Joe Frank Gulledge said he learned the urn contained the ashes of Robert D. Bonial which were stored in the container at Miami Beach, Fla., in June 1945 and then shipped to California for burial.

Lawlessness protested—

Flogging said part of Klan's pattern

TUSCALOOSA, Ala., April 1—A white minister says the beating a young ministerial student here is part of a Ku Klux Klan "pattern" designed to "scare people once each week."

This was the only public statement in this city Saturday linking the Klan to the March 16 abduction and flogging of James David Fackler.

"They told Fackey to get out," the source said. "And he decided that the way things were down here . . . that it was the best thing to do."

The minister said he had exchanged letters with Facker, 24, after the latter fled to New Orleans on the heels of the flogging.

FBI investigating

IN NEW ORLEANS, the Associated Press learned Saturday that Facker has reported the case to the FBI.

Fackler, whose wife is expecting their first baby, is from Toledo, Ohio, and a student at Concordia Lutheran Seminary in St. Louis. He was interning at University Lutheran Church here.

The Rev. Milton Popp, church pastor, said Saturday the congregation has sent a resolution to law enforcement officers protesting "such brazen lawlessness."

Sheriff Nathan Chism said his force is investigating but has "run aground."

Chism also said he was not aware of any series of floggings or intimidations by the Klan or any other group, as alleged by the minister who said he was familiar with the situation.

Interracial meeting

BOTH THIS MINISTER and Fackler said Fackler's flogging apparently stemmed from an interracial meeting at the Lutheran Church Feb. 5. About a dozen white and Negro church members attended.

This was followed two days later, Fackler said, by a cross-burning near his residence.

Then on March 16, Fackler said, he was abducted at the church by two men who accused him of "bringing Niggers into town and into the church."

"I went up to the door and was grabbed from behind," he said. "I'm pretty sure there were more than four men. I think they had followed me.

"One of them put his hands over my eyes and mouth and they stretched me out in the back seat of a car and took me to a secluded spot.

'It was warning'

"THEN THEY MASKED me and punched me a couple of times in the stomach and made me lie on the ground. They flogged me across the lower back and buttocks." He said his abductors made him walk back to Tuscaloosa.

In Cullman, the Rev. Edgar Homrigausen, president of the Southern District of the Missouri Synod, Lutheran Church, said Fackler called him at about 3 a.m. after walking home from the beating.

Between the cross burning in early February and the beating in mid-March, "the Rev. Mr. Homrigausen went to Tuscaloosa, he said, and met with Robert Shelton, grand dragon of the Alabama Ku Klux Klan.

"I asked him what was meant by a cross burning and he told me it was a warning," the Rev. Mr. Homrigausen said. "That's about all that was said."

Shelton could not be reached Saturday.

Flogging Victim Escapes Alabama

Flees home in fear of threats of death

BIRMINGHAM, Ala. —A 52-year-old Central Alabama man, his back scarred by a brutal flogging blamed on white nightriders, fled North in fear of his life last week.

Amos Dennis Jr. said he sold his home at Brent and left with his wife in obedience to a warning he would be killed if he remained. He spent the weekend in hiding at a home in a Birmingham suburb.

The Rev. C. H. Oliver, secretary of the Inter-Citizens Committee of Birmingham, said the case is one of 12 involving complaints of racial violence reported to the committee.

The committee of 10 colored ministers investigates such complaints and reports its findings to government agencies and private organizations, including the FBI.

DENNIS SAID one of the men who whipped him warned:

"You better be gone by tomorrow night, else I'm going to bring you out here and I'm going to kill you this time, N—."

Dennis said he remained in Brent four days after the March 8 incident while he sold his property for what he could get, and then left. He and Mrs. Dennis have been in hiding since that time.

Dennis said that the floggers asked him: "Where did you get the money to buy the automobile?" and if he knew "Martin Luther King" and "Shuttlesworth."

Dr. King, of Atlanta, and the Rev. Fred L. Shuttlesworth are leaders in the attacks on southern segregation laws and customs.

* * *

THE FORMER toy manufacturing company worker bared his back to newsmen, showing fresh scars an inch wide marking him from his shoulders to his hips. He still walks with a limp because of the bruises he received.

So far as could be learned, no attempt was being made to apprehend the men who attacked Dennis.

Faye Thompson, Brent city clerk, said no investigation was being made because "the Negro was blindfolded and did not see his attackers."

She also said police had nothing to go on and as far as she knew there was no report made of the case.

* * *

DENNIS SAID two white men wearing guns came to his house on the night of March 8, told him he was being arrested for disorderly conduct, and hustled him outside.

He said he was handcuffed, blindfolded, thrown on the floor of a car and driven to a wooded area. There, he said, he was handcuffed to a pine tree. He told his story of what followed:

"One of them took a knife and cut my clothes off. They dropped my trousers. They began beating me.

* * *

"I JUST got to find somewhere to escape," Dennis told newsmen. "I've got to leave everything. I'm looking for a job, and you know how things are. Pray for me."

He said he sold his house and land, a pickup truck, mule, wagon and tools worth $5,000 for only $2,000.

Mrs. Dennis cooked at a white restaurant.

Dennis has a daughter who is a senior at Alabama State College at Montgomery, and a 21-year-old son who had been working at the toy company, but has been laid off.

The Inter-Citizens Committee, which is headed by the Rev. J. L. Ware, reported the Dennis flogging to the FBI.

Oliver said the committee has completed its investigation of seven of the 12 cases and publicized them. He said the organization is still checking on five other cases, in one of which a white minister reportedly was flogged.

Flogging solution reward at $3507

BY JACK HOPPER
News corresopndent

TUSCALOOSA, Ala., June 10—Reward for information about the March 16 flogging of James David Fackler, student intern at University Lutheran Church here, now stands at $3507.



HOPPER

Fackler said a group of white men took him from the church to a rural field, where they beat him.

Faekler, now living in New Orleans, said that prior to the flogging he had held an interracial human relations seminar at the church.

THE REV. MILTON N. POPP, pastor, said Fackler is working as a chaplain in the New Orleans city hospitals. "He will continue this work until Aug. 30 and then will return to school, the Concordia Seminary in St. Louis," he said.

Lutheran officials left investigation of the flogging up to the city, county and the FBI, while stressing that every effort be made to apprehend the guilty parties.

A wire service story that some Tuscaloosa ministers had "promised" Robert Shelton, grand dragon of the Alabama Ku Klux Klan, that there would be no further interracial meetings at local churches was branded as "without foundation" by Hershel Hamner, president of the Tuscaloosa County Ministerial Assn.

The Rev. Popp says that to his knowledge, the flogging has had no effect on the church's membership. He added that no intern had replaced Fackler.

Reporting last week on the progress of the investigation, County Solicitor Fred Nicol said officers are "constantly working . . . and have no intention of dropping the investigation."

He said tips continue to come in and that all of them are checked.

Nicol pointed out that officers were not aware of the flogging until Fackler reported it a week later.

Gallion asks Killion for more data

BY EDDIE BADGER
News staff writer

Atty. Gen. MacDonald Gallion has called on the Jefferson County Grand Jury for more information about its "mystery" investigation before deciding whether he will provide the assistance the jury has requested.

Gallion told The News today he had sent Grand Jury Foreman Wayne W. Killion a letter asking for more detailed information about the nature of the assistance the jury will require and what areas the investigation will cover.

Killion said he had received the letter, which was delivered by the State Highway Patrol.

He also said he had been cautioned by Gallion that all proceedings of the Grand Jury are highly confidential, and said he would have no further comment.

Gallion's letter to Killion was in response to the formal request Wednesday for the services of the attorney general's office in the investigation which began a week ago today.

The Grand Jury request, made by telegram, confirmed an oral request made by Killion to Gallion Saturday.

The call upon the attorney general's office for assistance was made after Public Safety Commissioner Eugene Connor declined to assign City Detective A. M. Bailey to the investigation, as requested by the Gand Jury.

CONNOR DECLINED the request with the assertion that he did not believe it proper for a city employe to investigate matters which might concern the city.

When the Grand Jury made its investigation known after being called into special session at its own request a week ago today, it specifically asked for the services of Bailey and Criminal Investigator Calvin Holcombe of the sheriff's office.

Holcombe has been working with members of the Grand Jury for the last week.



News staff photo—Trudy Cargile

ATTORNEY GENERAL CONFERS WITH STAFF ON GRAND JURY REQUEST . . . Left to right: Atty. Gen. MacDonald Gallion and Assistants Williard Y. Livingston, Gordon Madison and James L. Screws; standing, William N. McQueen

BY TALLADEGA JURY

Death For Flog Culprits Sought

TALLADEGA (AP) — A county grand jury at this east Alabama town wants flogging convictions to carry the death penalty.

The Talladega County grand jury made the recommendation in a report Thursday that returned 37 indictments on charges of night riding.

Names of those indicted were withheld.

In its report, the grand jury said:

"We find the law covering floggings, which is set out as a person who assaults another with cowhide or whip, is only a misdemeanor.

"The maximum punishment under the present laws for a conviction is a fine of not more than $2,000 and a jail or hard labor sentence of not more than 12 months.

"We believe that when a person is taken from his home by force or trick with the intent to assault and beat him, the law violated should be a capital offense."

The grand jury investigated cases involving the arrest of eight men on charges of assault with intent to murder, growing out of nighttime floggings of three white persons.

The flogging victims were Martin L. White, 48, his 47-year-old wife, and James H. Guthrie, all of Sylacauga.

Guthrie told officers that his attackers "said we let a Negro whip our oldest son." White and his wife said their attackers gave no reason for their floggings.

The eight arrested following the floggings were Harvey A. Moody, 35, John S. Fuller, 54, Alonzo Brock, 50, and T. J. Graham, 37, all of Alexander City; George Edward Stockdale, 59, of Nixburg in Coosa County; Wilburn Parrish, 48, and Johnny Carden, 58, both of Wadley; and Francis Kelley, 33, of Sylacauga.

Authorities said Graham identified himself as a leader of the Ku Klux Klan klavern at Alexander City.

Flogging Case Rep

'Not Violation' but Under Study by Rights Unit

WASHINGTON (AP) — The justice department said Monday a preliminary inquiry into the reported flogging of a young white ministerial student at Tuscaloosa, Ala., after a racially mixed meeting at his church has failed to indicate any federal law violation.

However, officials reported that the civil rights division still has the matter under consideration.

The student, James David Fackler, 24, reported to the Federal Bureau of Investigation he was assaulted on March 16, apparently because of a "human relations seminar" conducted at his church Feb. 5.

Fackler said he invited a white minister from Birmingham to address the session and the latter brought along several Negroes who participated in the discussion.

Fackler said a cross was burned on the lawn of his home two days later.

He told the FBI that on March 16 a group of white men appeared at his church, blindfolded him, and took him out into a field, where he was flogged across the back with a rubber hose. Afterwards, he said, he was warned to "get out of town."

After reporting to the FBI, Fackler went to New Orleans to await a reassignment.

He is a student at Concordia Seminary in St. Louis, Mo., and had been interning at the University of Alabama at Tuscaloosa and the University Lutheran church there.

The church organization at St. Louis has asked for investigation of the matter by local authorities.

FBI Gets Story Of Race Beating

Student Reports Incident After Mixed Meeting In Alabama

By The Associated Press

NEW ORLEANS, April 1.—A young ministerial student Saturday said he had reported to the FBI that he was abducted and beaten at Tuscaloosa, Ala., after a racially mixed meeting at a church.

James David Fackler, 24, said the meeting was held Feb. 5, a cross was burned near his residence Feb. 7, and he was beaten the night of March 16.

He left Tuscaloosa the day after the beating, he said, because his attacker warned him "to get out of town."

At Tuscaloosa, Circuit Solicitor Fred Nicol and Police Chief W. C. Tompkins Jr. said they were investigating the incident. Nicol said the "matter has been called to the attention of the Grand Jury."

Justice Department Told

The FBI at Birmingham said it had no comment to make other than to say it had forwarded its information to the Justice Department in Washington.

Fackler, whose wife is expecting their first baby, is from Toledo, Ohio, and is a student at Concordia Lutheran Seminary at St. Louis. He was interning at University Lutheran Church at Tuscaloosa.

Fackler said he was abducted at the church by men who accused him of "bringing Negroes into town and into the church."

"I went up to the door and was grabbed from behind," he said. "I'm pretty sure there were more than four men. I think they had followed me.

"One of them put his hands over my eyes and mouth, and they stretched me out in the back seat of a car and took me to a secluded spot.

"Then they masked me and punched me a couple of times in the stomach and made me lie on the ground. They flogged me across the lower back and buttocks."

After the beating, they walked him to nearby railroad tracks, told him to count to 100, then take off the mask and follow the tracks to town.

'Good Swelling'

"I really got a good swelling out of it," Fackler said. "I was stiff and black and blue."

Fackler said the interracial meeting at the church was a human relations seminar. He was moderator.

The Rev. Joseph Ellwanger, a white minister from Birmingham, attended the meeting of about a dozen students, bringing along three Negro members of his church.

The Negroes took part in the discussion, which "ran the gamut of human relations, including integration," Fackler said.

At Tuscaloosa, the Rev. Milton Popp of University Lutheran Church said the congregation sent a resolution to law enforcement officers protesting "such brazen lawlessness."

Flogging Report Being Checked

ALEXANDER CITY (AP) — Police here are investigating the beating of a white man who says he was taken from his house and flogged with a leather strap last week.

Lum Bennett, a 56-year-old textile mill worker, told police he didn't know the six or eight men who beat him, said Police Chief Winfred Patterson.

"I don't know whether he knows why it happened," Patterson said. "He didn't say."

Patterson said Bennett did not make a complaint to police, but that officers heard about the beating through other sources and questioned him.

The police chief said Bennett told him the men came to his house last Friday night, took him 12 or 14 miles away in a car, and beat him with a leather strap.

Then they turned him loose and he walked to a highway intersection, where he caught a ride home.

$2,750 Reward for Alabama Attackers

NEW ORLEANS — Five additional donations from anonymous persons increased the reward total to $2,750 for information leading to the conviction of a group of Tuscaloosa, Ala., white men accused of beating the Rev. James D. Fackler, 24, of this city, last month because he was accused of "integrationist activities."

Term Meted Young Mother For Neglect

A young Negro woman who left her baby wet and alone in a locked room is now serving a one-year term in the county jail.

Lillian Ford, 19, had been charged with neglect after the Montgomery Fire Dept. began a crackdown on parents who leave their children alone at home.

The crackdown followed the deaths of five Negro children in a fire at 169 N. Ripley St., Jan. 30. They had been left there by themselves by their parents.

The Ford woman, whose home is at 1213 N. Ripley St., only a few blocks from the scene of the tragedy, was arrested and charged with neglect on Feb. 8. A neighbor had complained to firemen that she continuously left her 16-month-old baby alone.

Mrs. Leezora Moseley, of the Family and Domestic Relations Court, investigated.

She found the child lying wet on a bed with no sheets, "just as cold as could be."

An old and dirty cover on the bed was soaking wet, she said. Since there were no dry clothes to be found for the child, a sheet was taken from a bed in another room, used by the man with whom the mother was living, to wrap the baby in.

Mrs. Moseley said the baby was so weak that, when placed in one position, it could not change it. It was unable to walk. When taken to the jail, the little girl drank two bottles of milk.

After the mother was charged, the child was handed over to the care of its paternal grandmother.

Mrs. Moseley said that 17 days after the arrest of the mother the little girl had improved to the point she could walk.

The mother was prosecuted under child neglect laws, now enforced under the new court headed by Judge Richard Emmet.

Police Probing Flogging Of Man

ALEXANDER CITY, April 20 (AP)—Police here are investigating the beating of a white man who says he was taken from his house and flogged with a leather strap last week.

Lum Bennett, a 56-year-old textile mill worker, told police he didn't know the six or eight men who beat him, said Police Chief Winfred Patterson.

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Then they turned him loose and he walked to a highway intersection, where he caught a ride home.

POLITE ROBBER ESCAPES

Gunman Takes $29,200 From Bank Of Auburn

AUBURN (Special) — A polite, neatly dressed holdup man who held a gun on a bank cashier and told him, "You get the point," robbed the Bank of Auburn Saturday of $29,200.

R. F. Blake, a bank vice president, reported the amount of the loss after a day's end checkup. The amount originally was estimated at $30,000 to $35,000.

City, county, state and FBI officers joined a widening search for the bandit, but were hampered by lack of information on his getaway. There were no known witnesses who saw him after the holdup.

A pickup order was put out for the drivers of several cars reported seen here early Saturday who were unknown to residents.

The robber was described as being 35-40 years old, about five feet, nine inches tall and weighing 160 pounds. He had dark, slightly graying hair and was wearing rimless glasses, a dark gray hat and a gray overcoat.

Bank president Emil F. Wright said several employes were placing money in the teller's cage when the holdup man wandered in a back door at 8:30 a.m., about 30 minutes before opening time.

The bandit pulled a .45 caliber pistol on head bank cashier Clark Hudson and told him, "You get the point." He gave Hudson a large [illegible] and told him to fill it with money.

BACK DOOR

The cashier said the robber, who was clean shaven, leaned against the bank's counter smoking a pipe, while the bag was filled with money from the cages.

After Hudson handed the money bag to the bandit, he was warned "not to come out for five minutes." The robber then left from the same back door he had entered.

The bank president said he had an unusually high amount of money in the tellers' cages Saturday due to the expected rush in cashing payroll checks from Auburn University.

Highway Patrol officers set up road blocks within 15 minutes after the robbery, but were unable to nab the robber.

Several leads were checked out by city and county officers, but all proved false.

This is the first time the Auburn bank has been robbed, Wright said.

Theft Draws Negro Term

A Negro high school student who admitted stealing a carton of cigarettes from a grocery store was sentenced to 30 days of hard labor Friday.

Recorder's Court Judge D. Eugene Loe told John L. Powell, 18, that he could appeal the ruling and that this would enable him to complete work for graduation at Booker Washington High School.

The manager of the grocery store said Powell stole five cartons of cigarettes but the youth claimed he took only one.

Also sentenced to 30 days Friday was A. L. Colley, no address listed, who was charged with public drunkenness. Witnesses said Colley stole a crate of strawberries from a downtown store but Colley said he was too drunk to remember if he did or not.

In cases charged possession of moonshine whisky, Hattie Creed, Early street, was fined $100 and costs and Willie Thomas, 2524 Palm St., and O'Neal Broaden, 334 Wayne St., were fined $50 and costs each.

Richard E. Pettijohn, 39 Vonora Ave., was fined $25 and costs for disorderly conduct.

13 1961

ALABAMA

BOMBING

Bombing Probe Drawing Blank

BESSEMER (AP) — Police Chief George W. Barron says investigators have been unable to find a motive for the bombing of a store here Saturday night.

Barron said the FBI has been notified. The store is in a neighborhood where Negro and white areas join, but William James Miller, the grocer, said he does not believe there is any racial connection.

The bomb, apparently dynamite, was thrown against bars across a window, and fell to the ground, blasting a large hole. Windows were broken and dishes were shattered. There were no injuries.

Bomb Shatters Wall Of Mobile Restaurant

MOBILE, June 28 (AP)—A dynamite bomb shattered the wall of a restaurant in South Mobile early today. A Negro night watchman was in another portion of the frame building and escaped injury.

Police said the motive for the bombing has not been determined. One man was questioned and released. The bombing was at the Olde Mobile Inn, which has been in operation only about two months.

The blast blew a hole about four by eight feet in the side of a room used as a private dining room. The wooden wall was splintered and a concrete foundation was crumbled.

Wooden splinters and chunks of concrete damaged furniture, the inner walls and the ceiling. A large plate glass window was shattered in a bakery several hundred feet from the restaurant. Glass in the cab of a passing freight engine about 30 feet away also was shattered.

13 1961

ALABAMA

NOV.
HIGHWAY PATROL, MACON COUNTY
RADAR EQUIPMENT

Mass Arrests Denounced By Tuskegee City Council

Montgomery Advertiser
Sat 11-18-61

TUSKEGEE — A resolution denouncing mass traffic violation arrests by the Highway Patrol in Macon County was passed here recently by the city council.

Disturbed by the "speed trap" tactics allegedly being used by the patrol, the council drew up a resolution asking that officers effectuate compliance with existing laws by giving due warning to motorists and by making arrests only after flagrant violation of these laws.

The resolution states that "the setting up of radar equipment should not be done for the sole purpose of extracting revenue from persons attending sporting events at Auburn University."

The city fathers claim Tuskegee has been labeled a speed trap by motorists and travel agents are rerouting tourists around Macon County due to such notoriety.

Officers are required to bring the persons they arrest into Tuskegee to appear before a Justice of the Peace or magistrate regardless of the area in which the arrest is made.

Mayor Howard Rutherford asked in the resolution, that officers making arrests should direct the person to the nearest magistrate or the jusitice of the peace in which the arrest is made.

He also requested that radar equipment should be used in adjoining counties (Lee and Montgomery) so that offenders will be apprehended and charged in those localities as well.

13 1961 ALABAMA OCTOBER

Bank robbers still free after near-miss in Leeds

The Birmingham-News Ltr Fair 10-13-61

Birmingham News

BY TOM LANKFORD AND BUD GORDON
News staff writers

Three Negro bandits who took $16,842 from the Trussville First National Bank Thursday, narrowly escaped capture in Leeds and later eluded authorities in Atlanta Thursday night.

Some 35 laws officers, led by Birmingham Detectives O. V. Vance and J. L. Holt, crashed into a Negro minister's house in Leeds at about 7 p.m. to find that the gunmen had fled.

FBI agents, acting on a tip that the trio had purchased bus tickets to Atlanta, met a Greyhound bus in that city shortly before midnight. The Negroes were not on the bus.

Early today, city detectives canvassed local hotels and boarding houses and raided several residences in search of the suspects and acquaintances.

At least a half dozen witnesses "positively" identified two of the holdup men from police photographs, and indicated that a 17-year-old Negro may have been the third man.

On the strength of the identifications, Detective R. W. Kin took out warrants for Lynwoo McGinest Jr., 20, Mason Cit Rt. 1; Albert Russell, 17, Maso City, and Eugene Ware Simpson alias Eugene Williams, 21, of 5416 Court G, Fairfield.

FBI AGENTS said today that fugitive warrants for the three have been issued.

The first lead to the whereabouts of the trio came when a 1962 model sedan used in the stickup was found abandoned behind a Negro church in Leeds.

Officers converged on the area and summoned dogs of the Birmingham K-9 Corps to the scene.

Two loaded sawed-off shotguns and a pistol used in the robbery were left in the car.

The dogs trailed the men to an abandoned Negro house about a mile from the church. Police said that a woman next door told them she saw three men come to the building at about 11:30 a.m.

She said they returned at about 1 p.m. and took two paper bags from underneath the house. Police theorized the sacks contained the stolen money.

THE DARING ROBBERY occurred at exactly 11:05 a.m. when the three Negroes waved two sawed-off shotguns and a pistol at the bank clerks and forced the manager and his assistant to line up against a wall.

There were no customers in the bank at the time, and the Negroes locked the front door and closed the blinds over two front windows during the robbery.

Police said the holdup was carefully planned. A Brinks armored car pulled up to the bank at 10:40 a.m. and reportedly made a $25,000 cash delivery while the gunman sat outside in their parked car.

After the bandits had two female tellers fill brown paper sacks with the cash, they ran from the bank and sped away in full view of about six witnesses.

Vance and Holt rushed to Trussville with "mug shots" of three suspects in last Thursday's shotgun robbery of the Smith and Gaston Motel.

SEVERAL WITNESSES immediately identified two of the Negroes as the bank robbers and arrest orders were broadcast.

Ted Martin, operator of a nearby service station, took the tag number of the getaway car when he visited the bank shortly before the robbery. He said the men aroused his suspicion when they tried to shield their faces.

Vance and Holt advised FBI agents that the getaway car was stolen from a Birmingham car lot Tuesday night. They said they had information several days ago that the trio planned to use the car in a "big job."

The detectives said an informant told them the three men needed "a lot of money" to get to California. They said they suspected a filling station or department store holdup, but "not a bank robbery."

Police said the fleeing bandits are believed to have traveled secondary roads from Trussville to Leeds, skirting Highway Patrol roadblocks.

OFFICERS SAID the trio abandoned the car at the rear of the Mt. Calvary Church some three miles northwest of the downtown section of Leeds. They theorized the Negroes walked to the nearby vacant house and stashed the money.

After hiding in the woods for about an hour, police conjectured, the trio then returned for the money and went to the Negro minister's home, where they made several telephone calls.

Authorities pieced together information indicating that the three came to Birmingham before the robbery and purchased Trailways bus tickets back to Leeds several hours later. They were identified by a ticket clerk.

In Leeds the bandits bought Greyhound bus tickets to Atlanta, according to FBI agents. There was a possibility the trio left the bus before it reached its destination.

Bank Manager Carl F. Grimes said he was in the vault when the robbers came inside. He said that after the Negroes closed the doors and shut the blinds, they called him outside.

WHILE TWO of the robbers held 12-gauge shotguns on a dozen employes, the third Negro, armed with a pistol, shoved paper bags to the tellers.

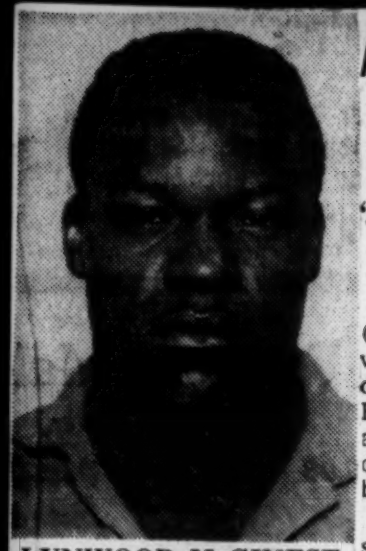
Officers quoted witnesses as saying the man threatened to shoot Mrs. Jo Sims and Mrs. John Best if they made a wrong move. One teller stuffed $8,500 in one bag and the other sacked up the rest.

The three Negroes, visibly nervous, backed toward the front door and ordered the bank employes "not to move."

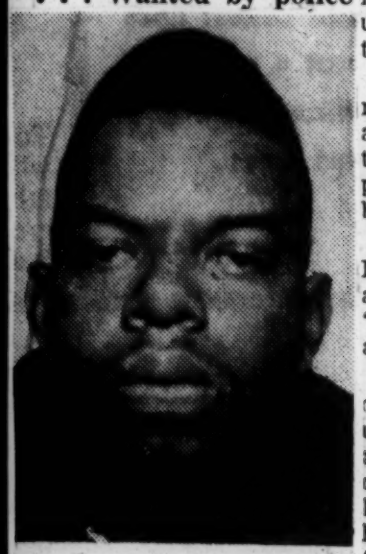
The main vault was locked Grimes said, and none of the money there was taken.



AUTHORITIES EXAMINE SHOTGUNS AND PISTOL FOUND IN CAR . . . From left, Det. O. V. Vance and FBI Agents L. Barra and Andy Smith



LYNWOOD McGINEST JR.
. . . Wanted by police



EUGENE W. SIMPSON
. . . Sought in robbery

Armed Negro Trio Hits Alabama Bank

'Nervous' Robbers Escape With Estimated $16,840

BIRMINGHAM, Oct. 12. — (UPI)— Three armed Negroes who "appeared nervous" Thursday robbed the First National Bank of suburban Trussville of an estimated $16,840 and escaped in a late model automobile.

Bank manager Carl F. Grimes said the three, one of whom possibly had a shotgun while the others carried revolvers, stayed in the bank "two or three minutes." Six employes but no customers were on hand.

Mr. Grimes said one Negro remained in the lobby, one held a gun on the employes and the third cleaned out tellers' cages, putting the money in a paper bag.

"One had a rifle or shotgun, I'm not sure which, but it had a big barrel," Mr. Grimes said. "The other one was in the lobby and I didn't see him.

"They instructed me to come out of the vault and lined me up against the wall with the assistant manager (Robert Waldrop) and then a short time later said we could sit down," he said. "The tellers were in the back of the building and I don't know what was going on back there except one, Jo Sims, fainted but she's all right now."

Mr. Grimes said the Negroes parked their getaway car in the bank parking lot, walked into the bank and pulled the blinds.

An armored car made a delivery at the bank shortly before the robbery.

The robbery occurred shortly after 11 a.m. An unidentified witness supposedly got the license number of the getaway car but the FBI said there was confusion about that.

Thomas Jenkins, special agent in charge of the FBI here, said agents were given two different license numbers and bank employes differed over whether the car was a Ford, Pontiac or Mercury. One report fit a car stolen last night but the tag was different," Mr. Jenkins said.

Police locate ex-owners of bandits' guns

BY BUD GORDON
AND DON BROWN
News staff writers

Authorities on the trail of three Negro suspects in the $16,000 Trussville bank robbery said Saturday they know the trio has fled Birmingham and disclosed they have located the former owners of two sawed-off shotguns used in the Thursday holdup.

Detectives R. W. King, O. V. Vance and J. L. Holt said their investigation has revealed that a fourth Negro aided the gunmen in an earlier shotgun robbery of the Smith and Gaston Motel here.

King said the fourth man, believed to be hiding in the city, drove the getaway car in the motel stickup, but did not participate in the bank robbery.

The shotguns used in Trussville were stolen from the home of two Negroes last Wednesday—the day before the robbery, King said.

ERNEST DEAN and Joe Henry of Rt. 1, Box 1125-A, Mason City, said two of the suspects took the guns while visiting their home.

Dean told King one of the weapons already had a sawed-off barrel but the other did not.

The three being sought are:

Lynwood McGinest Jr., 20, and Albert Russell, 17, both of Mason City, near Birmingham, and Eugene Williams, alias Eugene Ware Simpson, 21 of Fairfield.

Flashing their shotguns in the near-empty bank about 11 a.m. Thursday, the men collected $16,842, then escaped by car.

The car, which had been stolen from a Birmingham dealer, was found abandoned that afternoon in a Leeds Negro community.

Three Negro Men Arrested In Robbery Of State Bank

BIRMINGHAM (AP) — Three Negro men were arrested early Saturday in a bar at Los Angeles, Calif., in the Oct. 12 robbery of a bank near here in which $16,840 was taken.

The FBI here announced the arrest of Eugene Williams, Lynwood McGinest, Jr., and Andrew Knox Grant. They offered no resistance.

The FBI at Los Angeles said the three were traced from the robbery scene at Trussville, Ala., to Atlanta.

After a sidetrip to Chicago, they went to Los Angeles. Agents said they used aliases during their trip by automobile, bus and jet airliner, and had made a pact not to contact any of their relatives lest police should have them under surveillance.

Three gunmen held up employes at the First National Bank of Trussville shortly before noon Oct. 12, and escaped with the money in an automobile.

FBI Agent Thomas Jenkins said $11,354, believed to be part of the loot, was recovered at an apartment the three men shared in Los Angeles.

The FBI said the men were identified shortly after the holdup and charged with violation of the federal bank robbery statue and of the federal unlawful flight to avoid prosecution statue in warrants filed at Birmingham.

They will be arraigned before U.S. Commissioner Theodore Hocke at Los Angeles Monday

Is Klan leader—

Flogging case believed near jury

Graham first to be tried in Talladega

TALLADEGA, Ala., Sept. 12 — The case of Thomas Jackson Graham, first of eight men to be tried on charges of nighttime flogings in this area, was thought nearing the jury stage today.

The 37E-year-old Alexander City man, self-identified as the exalted cyclops of Klavern 22, U. S. Klans, heard his confession of participation in the night-riding activities read to the court yesterday by State Investigator Ben Allen of Birmingham.

MR. AND MRS. Marlin White who were dragged from their Sylacauga home last May 13 and beaten, identified Graham as the apparent leader of the men who flogged them.

Routine empaneling of the Graham jury came to an abrupt stop early yesterday when one of the prospective jurors, Fred C. Brownlow, said in answer to a question that he had met Francis Roland Kelley, one of the accused floggers, "last week when he came to my house."

Circuit Solicitor Bill Hollingsworth asked if Kelley had discussed the case with him and Brownlow said that he had.

After an immediate recess, Circuit Judge William Sullivan stated that it was to be clearly understood that the matters about which the recess was taken concerned neither Graham nor his attorneys, Charles Reynolds of Fairfax and Reuben King of Alexander City.

Brownlow is not on the Graham jury, but is still on the venire.

Sol. Hollingsworth said the Graham trial could go to the jury late today.

TALLADEGA COUNTY Sheriff Luke Brewer was expected to go on the witness stand before defense attorneys present their case. He would follow six witnesses who testified yesterday.

Mrs. Elsa Mae White, a Sylacauga textile mill worker, testified that Graham and others came to her home at about 10 p.m. May 13, took her husband out first and then herself. She said she was clad in pajamas.

Mrs. White said that during the ride into the country, Graham rode in a car ahead of the one in which she rode and she was able to get the license number and memoriez it.

In the woods, Mrs. White said Graham ordered her out of the car and told her to strip. When she protested, he hit her with a lash, she testified.

She said she removed her pajamas and was forced to lie down and that Graham stood by her head, lashing her with the whip. Her husband said he was held in the car while his was was flogged.

He testified that he was then ordered out, forced to undress and was whipped.

After the floggings, the Whites testified that they were ordered to run and when Mrs. White protested she related that Grapham said:

"See if you can outrun this gun."

WHITE SAID THEY saw no gun, but said the men threw rocks at them as they gathered their clothes and ran.

Another witness yesterday was the Whites' 15-year-old son Robert, who testified that his mother and father were forced to leave the house n their nightclothes. He said Graham and another man had had blackjacks.

Testifying about the white's injuries was Sylacauga physician Dr. Charles Camp, who said in his opinion the beating administered Mrs. White could have been fatal.

Pictures of the Whites' wounds, taken by Talladega Newsman R. E. Hogan only hours after the alleged floggings, were introduced as evidence.

TAKEN FROM HOME

Woman Describes Beatings At Accused Flogger's Trial

TALLADEGA (AP) — A white woman testified at the trial of one of eight men charged in an outbreak of nighttime floggings that she and her husband were beaten while lying on a trash pile.

Mrs. Elsa Mae White of Sylacauga, said Thomas Jackson Graham, 37, of Alexander City, told her she was beaten because she permitted a Negro maid to whip her 15-year-old son.

Graham is the first of the defendants to face trial in circuit court in this east Alabama town.

Most of this morning was spent in the selection of a jury. Prospective jurors were questioned particularly about their Ku Klux Klan connections.

JURY LOCKED UP

Following testimony of five persons, including Mr. and Mrs. White, and their son Robert, the jury was locked up for the night.

Circuit Solicitor W. E. Hollingsworth Jr. said it is possible the jury will receive the case before noon Tuesday.

Mr. and Mrs. White testified that they were abducted from their home May 13 and forced to accompany a group of white men who forced them to disrobe and lie upon a trash dump that contained cans and broken glass.

They said they were forced to flee, when Graham told them "I guess you can outrun this gun."

White said he saw no gun, but that the group of men threw rocks at them as they ran.

MARKS ON BODIES

Their son testified that his mother and father were forced to leave the house in their night clothes. He told of marks on their bodies when they returned.

Dr. Charles Camp of Sylacauga told of treating the couple. He said that Mrs. White's injuries were particularly serious, since several of the wounds could have become infected.

Lt. Ben Allen, a state investigator, read a statement in which Graham was quoted as saying he attended a Klan meeting in which he and a group of other men were asked to go to Sylacauga and "give the woman a whipping."

Second Flogger Convicted In Talladega Trial Series

TALLADEGA (AP) — A circuit court jury Wednesday convicted Wilburn Parrish of assault with intent to murder in the flogging of a white woman last spring.

The jury deliberated 45 minutes before returning the verdict.

Judge William Sullivan said he would sentence Parrish on Sept. 22. He continued free on $5,000 bond.

Parrish testified that he was against flogging a woman.

Taking the stand in his own defense, Parrish said he did not know who was to be flogged and that when Mrs. Marlin White was taken from a car in a rural area, he told a companion:

"I don't believe you should bother the lady. I would leave her out of it."

Under cross examination by Solicitor W. E. Hollingsworth Jr., Parrish, who appeared nervous while on the stand, denied having seen anything happen. He said the only light came from the inside dome light of a car and that he had turned so that it was impossible for him to see who did the flogging.

The case went to the circuit court jury late Wednesday.

White, who was abducted and flogged along with his wife, testified he saw Parrish take a heavy leather belt from one of the other men and hit his wife with it several times.

The testimony came in the opening session of Parrish's trial on charges of assault with intent to murder in the flogging of Mrs. White.

Parrish, 48, of Wadley, is one of eight men charged in a series of floggings in this area of east Alabama last spring, and is the second man to go on trial.

A knife-wielding spectator threatened one of the men charged with flogging outside the courtroom Wednesday.

Sheriff Luke Brewer said Clifford Hindman, 45, of Talladega was jailed after the brief fracas

Other major cases open-

Eight go to trial accused of floggins in Svlacauga

The Birmingham News, 9-11-61

p. 21

Eight men—all confessed Ku Klux Klansmen—went on trial in Talladega this morning for the May 13 flogging of three Sylacaugans.

The trials got under way despite an effort for a change of venue by seven of the defendants because they contend they can not get a fair trial in Talladega County because of publicity given their cases.

This was just one of several major trials due to get under way in Circuit Courts over the state today.

The eight on trial in Talladega are Willburn Parrish, 48, and Johnny D. Carden, 58, both of Wadley; Alonzo Brock, 50, Thocas Jackson Graham, 37, Harvey A. Moody, 35, and John Sidney Fuller, 54, all of Alexander City; George Eugene Stockdale, 59, of Nuxburg in Coosa County, and Francis Roland Kelly, 33, of Sylacauga. All but Kelly sought a change of venue.

In Marion County Circuit Court in Hamilton, Gene Palmer, a muscular 19-year-old, went on trial for the first-degree murder in the May 17 death of a Hamilton recluse, 52-year-old Corbett Bishop.

JSHAM D. HOBBS, 44-year-old native of Huntsville who "wants to lie," went on trial for the second time today for the 1944 slaying of Mrs. Margaret Thornton Fleming.

Two men accused in the bizarre death of a young Cleburne County man were due to go on trial tomorrow in Heflin. They are Willis Vinson and Russell Hurley. A third man, Wade Hardy, 27, of Anniston, is now serving a 25-year term for robbery in connection with the case.

Hardy was sentenced after a plea of guilty in an armed robbery charge in connection with the death of Sidney O'Neal Scott, Edwardsville, whose body was found on a farm-to-market road off Hnghway 78. The body had been run over by a truck or car.

No date has been set for the trial of 14-year-old James Stapler charged in the murder and robbery of Joseph R. Thompson, Grant mail carrier. Stapler, who is charged with engineering the murder, will stand trial as an adult.

HIS COMPANION, 11-year-old William Earl Franks, has been sentenced to the Boys Industrial Home here until he is 21. He is continued to the Mobile Detention Home until his 12th birthday, when he will be transferred here.

Circuit Judge William C. Sullivan refused to grant a change in location of the trials of the eight accused floggers, and trial was originally set for last month. However, due to the illness of the solicitor, the trials were postponed until today.

The eight face 37 charges returned against them by a Talladega County Grand Jury in the floggings of Mr. and Mrs. Marlin White and James N. Guthrie, all of Sylacauga.

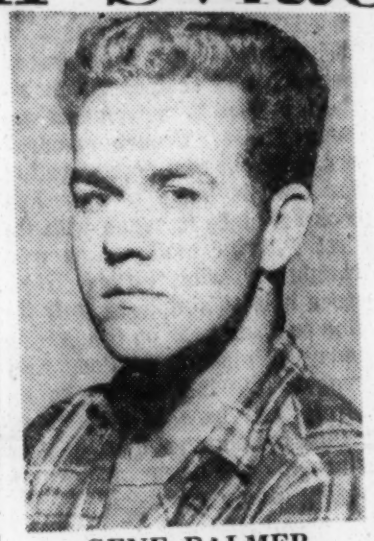
Young Palmer admitted to arresting officers that he shot Bishop and then beat him with a rifle. He said his motive was robbery.

BISHOP HAD BEEN shot twice with a .22 caliber rifle and was severely bruised from a beating. Officers said the beating was the cause of death.

The youth told officers that he had robbery in mind when he went to the house and asked Bishop to treat an injured ankle. When Bishop turned his back on him after treating the ankle, he said, he shot him once and when he fled, shot him a second time.

Circuit Solicitor Wayne Weaver will try the case before Circuit Judge Bob Moore Jr. Former Rep. Rankin Fite is defending Palmer.

The first trial of Hobbs ended in a mistrial when the jury could not agree on a verdict



GENE PALMER
. . . Faeves murder charge

Hobbs was arrested in Bartow, Fla., and exposed as a military deserter and turned over to the Air Force, a victim of amnesia.

His memory restored, Hobbs confessed to the murder of Mrs Fleming 17 years ago. He told officers he lived in a cave in the Huntsville area after he broke into the Fleming residence to steal a shotgun. Once in the house, he said, he became involved in a struggle with Mrs Fleming and stabbed her with a knife.

Prior to his first trial, he led officers to a cave where they found the shotgun and other articles he said he left there.

5 Floggers Plead Guilty In Talladega

The Montgomery Advertiser
Sept. 15

TALLADEGA (AP) — Seven of eight men face sentencing in a series of floggings in this northwest Alabama area last spring.

p. 1

Two were convicted of assault with intent to murder earlier this week, and Thursday five others pleaded guilty to similar charges.

Trial of the eighth was postponed because his attorney was not in court.

Entering pleas of guilty to two counts of assault with intent to murder were Alonza Brock, 50, and Harvey A. Moody, 35, both of Alexander City, Johnny Carden, 58, Wadley, and George Eugene Stockdale, 59, Nixburg.

SENTENCING SET

John Sidney Fuller, 51, of Alexander City, pleaded guilty to one count of assault with intent to murder.

They will be sentenced Oct. 13.

Wilburn Parrish, 48, of Wadley, and Thomas Jackson Graham, 37, Alexander City, were convicted earlier and will be sentenced Sep. 22. Both are free under $5,000 bond.

Mr. and Mrs. Marlin White, Sylacauga, testified that they were taken from their house and flogged by a group of white men.

They said one of the men said they were being beaten for allowing a Negro maid to whip their 15-year-old son.

Graham testified at his trial Tuesday that he had attended a Ku Klux Klan meeting at which he was instructed to go to Sylacauga and give the woman a whipping.

SEPT.

13 1961

Nine Indicted For Destroying Bus of 'Riders'

The Washington Post
Sat 9-2-61

By James E. Clayton
Staff Reporter

The Justice Department announced here yesterday that nine men have been indicted by a Federal grand jury in Birmingham, Ala., for burning a "Freedom Rider" bus last May.

The indictments were returned Thursday but kept sealed until the FBI had arrested seven of the nine. The eighth is already in jail on another charge and tne nihth is in a hospital, Attorney General Robert F. Kennedy said.

The men were charged with conspiring to destroy an interstate bus and with actually destroying it. If convicted on both counts they can be jailed for up to 25 years and fined up to $20,000.

First Major Legal Action

The indictment is the first major legal action taken in the bus-burning incident. State officials have made no arrests in connection with it. Last week was the first opportunity the Justice Department has had to present the matter to a regular Federal grand jury.

Justice Department officials regard the grand jury's action as encouraging since other grand juries in the past have chosen not to indict in some racial incidents.

The indictment harged that the nine men conspired to meet the Birmingham-bound bus at the depot in Anniston in order to place destructive material inside it.

Bomb Thrown in Window

The bus was met in Anniston by a mob but was not burned until it stopped four miles outside of town after its tires blew out as a result of knife slashes. Then an incendiary bomb was tossed through a window.

None of the 17 passengers, including seven Freedom Riders, was seriously injured although several were hospitalized for smoke inhalation.

That was the first taste of violence the Freedom Riders encountered in their trip across the South to test segregation. Riots in Birmingham and Montgomery a few days later brought Federal marshals into Alabama to maintain law and order.

Those Indicted

Three of the men indicted Thursday were arrested by the FBI eight days after the bus was burned. They are Kenneth L. Adams, 41, an oil company operator; Robert Dale Couch 19, unemployed, and Frank B Johnson, 43, a maintenance man.

The others indicted are William O. Chappell, 39, upholster; Jerome B. Couch, 25, electrician; Jerry R. Eason, 22, flower arranger; Frank J. Tolbert, 54, storekeeper; Jerry Z. Willingham, 21, a valve company employe, and Cecil LI. Lewallyn, 22. Lewallyn is in a hospital as the result of an auto accident.

Adams and Lewallyn were both called as witnesses in a Federal court hering in Montgomery on May 30. Lewallyn's former wife testified that he was a member of the Ku Klux Klan but he and Adams both took the Fifth Amendment when asked about Klan membership.

ALABAMA

BUS BOMBING

Nine Men Indicted In Bombing Of Alabama 'Freedom-Rider' Bus

The Courier-Journal, Ky
Sat 9-2-61

Birmingham, Ala., Sept. 1 (UP)—Nine men accused of bombing the first "freedom-rider" bus to enter Alabama have been indicted by a federal grand jury, the Government announced Friday.

The incident took place May 14 outside Anniston, Ala., while the bus was en route from Atlanta to Birmingham.

Attorney General Kennedy announced the two-count indictment in Washington. He said it was returned Thursday at Birmingham but remained sealed until Friday.

The F.B.I., Kennedy said, has arrested seven of the men, all of whom live in the Anniston area. Another is in jail on burglary charges and the ninth is hospitalized.

Seventeen persons, including seven "freedom riders," were aboard the bus when it arrived at Anniston. A mob of whites stoned the vehicle, and then followed it out of town and tossed an incendiary bomb through an open window.

Several passengers were treated for burns and smoke inhalation and the "freedom ride" was temporarily called off.

One count of the indictment charges the nine men with conspiring from May 5 to damage the bus, and the second count charges them with carrying out the conspiracy.

Maximum penalty for conviction on the first count is five years in prison and a $10,000 fine. On the second count each could be sentenced to 20 years in prison and $10,000 in fines or both.

Those named in the indictment are Kenneth L. Adams, 41, an oil-company operator; William O. Chappell, 39, upholsterer; Jerome B. Couch, 25, electrician; Roger D. Couch, 19, unemployed; Jerry R. Eason, 22, a flower-shop employee; Frank B. Honson, 42, maintenance worker for the Anniston Housing Authority; Cecil L. Lewallyn, 22, occupation unknown; Frank J. Tober, 54, self-employed storekeeper, and Jerry Z. Willingham, 21, a valve-company employee.

The seven arrested Friday were placed under $5,000 bond each after arraignment before United States Commissioner Ruby Price.

All nine were indicted under Section 33, Title 18 of the U. S. Code dealing with motor vehicles. The section makes it a crime to damage or destroy a motor vehicle engaged in interstate commerce.

Nine Indicted In Bombing Of Bus

Atlanta Daily World
Fri Sat 9-2-61

BIRMINGHAM, Ala. (UPI)—Nine men accused of bombing the first "freedom rider" bus to enter Alabama have been indicted by a federal grand jury, the government announced Friday.

Atlanta Ga

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SEVENTEEN ABOARD BUS

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PLACED UNDER BOND

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Government Indicts Nine In Anniston Bus Bombing

Commercial Appeal 8/13
Sat 9-2-61
Memphis, Tenn.

By United Press International

BIRMINGHAM, Ala., Sept. 1.—Nine men accused of bombing the first self-styled 'Freedom Rider' bus to enter Alabama have been indicted by a Federal Grand Jury, the Government announced Friday.

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The FBI, Mr. Kennedy said, has arrested seven of the men, all of whom live in the Anniston area. Another is in jail on burglary charges and the ninth is hospitalized.

Bus Is Burned

Seventeen persons, including seven so-called 'Freedom Riders,' were aboard the bus when it arrived at Anniston. A mob of whites stoned the vehicle, and then followed it out of town and tossed an incendiary bomb through an open window.

Several passengers were treated for burns and smoke inhalation and the so-called 'Freedom Ride' was temporarily called off.

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Penalties Are Heavy

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BEATING BY NIGHT RIDERS
MONTGOMERY COUNTY
VICTIMS (NEGROES)

Klan Linked To Beating Of Negroes

Montgomery Advertiser
6/1
Thurs 11-27-6

A Montgomery Negro physician Thursday quoted three members of the James Owens family as saying they were beaten by Ku Klux Klansmen at their rural home near Davenport in southwest Montgomery County Monday night.

Montgomery Ala

The physician, who asked that his name be withheld, said Owens' wife, 16-year-old daughter Julia Ann and 19-year-old son told him the assailants "were definitely Klansmen."

Moreover, he said, "They told me that Owens knew some of the hooded men" who assaulted five members of the family after unloading from two cars and entering the family residence.

The Negro doctor said the three Negroes came to his office for treatment Tuesday morning following the alleged beatings Monday night.

"They appeared scared, and didn't want to say much about the incident," he said. "I wouldn't know as much about it as I do if I hadn't overheard their conversation."

Owens and his crippled grandfather, who were also reportedly beaten, failed to appear at his office for treatment, the physician said.

A family friend Wednesday expressed belief the beatings stemmed from the family's activity in civic organization and registration of them or some of their friends as voters. The source did not elaborate on the type of civic organization he had in mind.

Chief Deputy Richard Goodwyn of the Montgomery County Sheriff's Office Thursday said "We don't have a lead on this case yet. We have nothing to go on."

He talked to the family Thursday morning, he said, but "they were reluctant to say anything."

Deputies Probe Family's Beating By Night Riders

Montgomery Advertiser 6/1
Thurs 7-27-61

The Montgomery County Sheriff's Office Wednesday was investigating the reported beating of a Negro family by a group of hooded men in Davenport community Monday night.

Chief Deputy Richard A. Goodwyn said the details of the alleged beating were still vague, but "we may have something tomorrow." Two deputies will question the James Owens family Thursday, he said.

Montgomery Ala

A family friend, who asked to remain unidentified, said a group of men traveling in two cars came to the Owens' home in Davenport community and assaulted five members of the family. He said all the men wore hoods except one, a white man.

GUN BROKEN

The intruders beat the family, he said, after breaking a gun they found in the home.

He said Owens was knocked unconscious, his 16 - year - old daughter Julia Ann suffered some broken teeth when she was hit in the face, and Owens' wife, his crippled father and 19-year-old son were beaten.

No reason was given for the beatings, the source said, but it was suspected they stemmed from the family's activity in a civic organization and registration of them or some of their friends as voters.

Owens is employed at a Montgomery grocery store. His wife is a teacher in a Montgomery County Negro school.

Goodwyn said the case was reported by the Owens woman about 10:45 a.m. Tuesday, but deputies found no one at home when they went to the Owens' residence.

A relative in Montgomery said the Owens family came here for medical treatment Tuesday and returned home Wednesday.

FBI Certifies Negro Family Filed Complaint In Beating

The Montgomery Advertiser
P1

A Montgomery County Negro family beaten by hooded assailants recently filed a civil rights complaint with the FBI before notifying the sheriff's office of the attack, it was learned Wednesday.

Thurs 8-3-61

Chief Deputy Richard Goodwyn said the James Owens family lodged the civil rights complaint the morning after the attack at their Davenport community residence the night of July 25.

Owens' wife came to the sheriff's office and notified him of the beating shortly after leaving the local FBI office, the chief deputy said. An FBI spokesman confirmed his statement.

"I don't know why they went to the FBI first," Goodwyn said. "They should have told us about the incident after it happened, and then we could have started working on it right away."

Owens, his wife, 16-year-old daughter, 19-year-old son and crippled grandfather were assaulted by a group of hooded men who unloaded from two cars and sneaked into the family residence under cover of darkness.

Goodwyn said the sheriff's office has called off the investigation because of insufficient evidence.

Montgomery Ala

"We have given up until they (the assailants) strike again or we find something else to go on," he said. "And I hope we're notified earlier next time."

FUTILE EFFORTS

The chief deputy said efforts to track down the men who committed the attack proved futile. Every possible lead was checked to no avail, he said.

Owens' wife told Goodwyn last week a letter written to The Montgomery Advertiser may have provoked the attack. The letter, written by her daughter, Julia Ann, described the plight of mulattos in a segregated society.

The Owens' woman said all the assailants wore hoods except one, a white man.

Goodwyn said members of the family were unable to give a useful description of the attackers. "What they gave us just wasn't sufficient to work on," he added.

The Owens' home is in southwest Montgomery County at a Letohatchie rural route address.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letter. ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

White Fools Shame Us All

EDITOR, THE ADVERTISER — Referring to the editorial in *The Advertiser* of July 30, "White Fools In The Black Night," it is indeed time for all right-thinking citizens of Alabama to denounce, in outraged decency, the perpetrators of such revolting incidents.

This has reference to the violence against the Negro family in the Montgomery-Lowndes County area recently in which a crippled man was beaten, and the family was subjected to violent abuse. If this cruel and sadistic outrage had been perpetrated against some animal, such as the horse or dog, or some other, all the decent citizens of the state would be voicing their anger and disgust in no uncertain terms, with demands that the guilty persons be caught and swiftly made to pay the penalty for their unspeakable conduct. They deserve to live in shame and disgrace among their fellowmen.

Most of the white people of the Southern U.S.A. have been reared in more or less close contact with the Negroes. For most of us the relationship has been easy and friendly. It is with keen distress of mind, and pain in our hearts, that we witness the deterioration of this amicable relationship, due to alien influences such as the "freedom riders" and their masters, CORE and NAACP, and also such barbaric behavior by undisciplined white men as was displayed in the above incident. These men disgrace themselves and our state by committing such unlawful acts upon helpless people.

As for the "freedom riders," they can take their share of the blame, for they made their "rides" for the expressed, and advertised, purpose of violating our laws — expecting, and apparently hoping beforehand, that violence would erupt. They know they can always count on the lowdown element in white society to help them in their dirty work. That Negro family would probable not have been molested had it not been for the "riders." And what good do they accomplish?

But one cannot help but wonder why Gov. Patterson and Atty. Gen. Gallion did not take the necessary steps to prevent the eruption of violence before the "riders" ever entered the state? It is the duty and right of every citizen of this state to expect and demand that lawless elements be handled as they deserve.

From my point of view, the "freedom riders" and "White Fools In The Black Night" seem to be of the same ilk. They are our deadly enemies!

A. L. REAVES.

Enterprise, Ala.

13 1961

ALABALA

ANNISTON
WHITE MEN FINED $200 for
ASSAULT AND BATTERY AGAINST
Two (2) Negroes

Whites fined in assault on Negroes

ANNISTON, Ala., July 7—Fines of $200 each were imposed yesterday on three young Anniston white men charged with assault and battery against two Negroes June 20.

The Negroes, each facing two charges of assault with intent to murder brought by the white men, waived preliminary hearing and were bound over to the Grand Jury under $500 bond in each case. The Negroes are accused of firing a shotgun at the whites.

The white men fined were Billy Raburn Richard, 22; Bobby Nelson, 23, and Hubert Damon Strange, 21. They were fined $100 in each of two cases brought by the Negroes.

The Negroes were Cecil Grady, 24, and Melvin Thompson, 19, both of Anniston.

STRANGE AND Richard were wounded, not seriously, by the shotgun blast.

The dispute was said by police to have started when the Negroes took a car to Richard Auto Construction Co. for repairs. Thompson said he was kicked in the eye and Grady said he lost his shoes when the three white men jumped on them.

The white men told Chief of Detectives C. F. Pate the Negroes started "acting uppity" after they came to the repair shop.

The Negroes said they were returning to the shop, after picking up a shotgun, to get Grady's shoes when they met the three white men at a truck stop. Grady said he fired the shotgun when the white men began advancing on them.

At Anniston—

Negroes beaten in station incident

ANNISTON, Ala., Jan. 3—A person refusing to be identified said today he saw a Negro man sitting in the white waiting room of a railroad terminal shortly before he and a companion were dragged from a station wagon and beaten by unidentified assailants yesterday.

Victims of the attack outside the Southern Railway depot were identified as Arthur L. Baker, 23, of West Palm Beach, Fla., a student at Talladega College, and Moses Lawler of Talladega College.

Neither could be reached this morning.

ACCORDING TO THE person who asked not to be identified, Baker sat for several minutes in the white waiting room after getting off a train at the station. Seconds after he left the room, he said, several white men entered the station, evidently looking for rim, and then dragged him and Lawler from the automobile before they could drive off. Lawler apparently had driven to the station to pick him up.

Baker received emergency treatment for lacerations in an Anniston hospital and was released.

Anniston police said today they have charged a man here with sault with intent to murder, but would not confirm that his arrest was in connection with the beating.

Two Local Negro Men Report Being Beaten As They Meet Anniston Train

ANNISTON, Ala. —(AP)— Two Negro men from Talladega, told police they were beaten by several white men while waiting for a student nurse to arrive on a train Monday.

Police quoted Arthur L. Baker and Moses Lawler, both of Talladega College, as saying four or five white men pulled them from their car and struck them several times.

Officers said they were told the men took Lawler's bill fold.

Baker was treated at a hospital for head and face injuries and dismissed.

Police said no arrests have been made.

Lawler declined hospital treatment.

Youth is arrested in school shooting

BESSEMER, Ala., Jan. 12—An 18-year-old Negro boy is being held in County Jail here in lieu of bond on a charge of assault with intent to murder in a school-house shooting.

Assistant Sherif fClyde W. Morris said Willie Harris, 18, of 4017 Council-av, Brighton, shot and wounded Willie James Henry, 16, of route eight in a corridor of the Brighton Negro High School, Dec. 1.

Reason fo rthe shooting had not been determined, according to Deputy Dixie Walker, who investigated.

Thieves loot store on Tuskegee campus

TUSKEGEE, Ala (ANP) — Authorities here were conducting a search last week for thieves who broke into a grocery store and stole $924 in cash, some of it Booker T. Washington half dollars, on the Tuskegee Institute campus.

Sheriff Preston Hornsby said only $62 of the money taken from Carter's Grocery was in bills. About $400 dollars and $12.50 was in special Booker T. Washington half dollars. The rest was in coins of various denominations.

Toxicologist Probes Death Lanett Negro

LANETT (Special) — A state toxicologist is investigating the death of a 46-year-old Lanett Negro whose body was discovered Thursday in a swampy area near here.

Police Chief Buster Daniel said the body of Johnny Blye was found by searchers early Thursday. He had been missing since Sunday.

Montgomery's Crime Rate Skyrocketed During 1960

By BOB COHN

The crime rate in Montgomery skyrocketed in 1960, according to an annual report released by the police department Wednesday.

New highs were recorded in almost every phase of criminal activity, said Lt. W. T. Sheriff, in a statistical analysis of criminal and traffic offenses.

There were 631 more major crimes committed in 1960 than in the preceding year and cash and merchandise stolen during the year far exceeded the criminal take in 1959.

Although the crime rate increased, police action in handling these cases dropped far off normal. Only 16.3 per cent of all major criminal offenses were cleared by arrest the report revealed. This represents a drop of 53 per cent compared to the number cleared in 1959.

The percentage of cases cleared by arrest was on a steady incline over the past five years and in 1959 moved up to a very respectable 30.5 per cent.

Every murder and non-negligent manslaughter case was cleared. The big gap between cases reported and those cleared were in the classifications of robbery, aggrevated assault, burglary and larceny.

PROPERTY RECOVERED

More than $500,000 in cash and merchanside was stolen in Montgomery during the year. This represents an increase of $125,- over 1959. Almost half of the stolen money and property was recovered by the police.

The increase in the crime rate was due largely to the fact that there were almost twice as many burglaries in 1960 than in the preceding year. There were 1,550 cases reported this past year and 189 cleared by arrest as compared to 847 cases in 1959. Police cleared 275 of those, a marked difference.

Actually there were 3,746 major crimes reported during the year. This represents a big increase over the past five years. In 1957, 2,420 crimes were recorded.

Although there was increased criminal activity the percentage of those convicted dropped off. Almost 82 per cent of those arrested were convicted in 1960 as compared to 89 per cent in 1959.

ASSAULT CASES

There was a distinct decline in the number of cases of aggravated assault handled by the department in 1960—so sharp a decline that the figures were questioned by the FBI Bureau of Statistics. There were half as many cases in 1960 as in the preceeding year.

The traffic division had its hands full during the year. With almost 4,000 more registered vehicles on the streets of Montgomery, there was a rise in the rate of traffic accidents.

"Actually," Lt. Sheriff said, "we're quite proud of our accident prevention record. Despite the increase in the number of motor vehicles we held our accident rate down pretty low."

Following the national and statewide patterns, motorists set an all-time high for Montgomery. The figures showed an increase of 200 accidents over 1959. Eight people were killed in the accidents and 525 injured. Nine were killed in 1959 and 434 injured.

Over the year, 78 pedestrians were injured and two were killed. In 1959 six of the nine fatalities attributed to automobile accidents were pedestrians.

4 Negroes Admit Two Burglaries

Special to The Post-Herald

ANNISTON, Feb. 13—Four Negroes jailed here have admitted talking part in two burglaries, according to Chief of Detectives C. F. Pate, and are suspected of complicity in others.

Pate pointed out that not a single burglary was reported to his department between the time the Negroes were jailed last Tuesday and today.

He identified the four as Bobby Coleman Jr., 18; George Albert Walker, 25; Allen Young, 25, and Louis Gray, 23.

Coleman and Young each are charged with two cases of burglary and two of receiving stolen property; Walker is charged with one count of each felony, and Gray is charged with burglary.

Pate said the men were booked for vagrancy last Tuesday and later admitted burglaries at the O. K. Rubber Welding Co. at 11th and Moore, and Anniston Concrete Products Co., W. 11th-st.

Hanging by belt—

Man found dead in Graysville jail

A 26-year-old St. Louis man, arrested yesterday for failure to pay for a tank of gas, hanged himself in Graysville Jail, according to police.

Richard Baldwin Davis was found hanging from an iron rail by his belt a few hours after his arrest, said Police Chief T. M. Alexander.

Deputy Coroner W. L. Allen ruled the death suicide.

Police said the victim had arrived at Graysville last week to be reunited with his wife, Mrs. Myra Davis, 1132 Ninth-pl, w.

THE COUPLE had been separated for three months, police said.

Alexander said Davis was arrested for investigation after a complaint from a service station attendant. He was charged with petty larceny and failure to pay a licensed operator.

A gas station attendant said the man drove away from his place after refusing to pay for $6.25 of gas.

Police said Davis had apparently considered hanging himself with pieces of a wool blanket before using his belt. Several six and eight-foot strips were found in his cell.

ALEXANDER SAID the victim apparently stood on top of his bunk, looped the belt around his neck and fastened the other end to an iron bar.

Davis was arrested at 1:30 p.m. yesterday, according to police, and the suicide took place between 4:25 and 4:40 p.m.

Mrs. Davis said she was worried how she would get herself and the children, aged 10 months and 3 years, back to St. Louis with no money and no friends. Graysville residents started a collection to help the woman.

Birmingham police are checking on the car driven by Davis for possible car theft, according to Chief Alexander.

Two Girls Charged In Stabbing Of Eighth Grade Classmate

Fair Condition

DECATUR, Ala., Feb. 2. (AP)—Authorities say two 13-year-old girls have been charged with assault with intent to murder an eighth-grade classmate who found one of them smoking.

Willene Hill, also 13, is in fair condition at a Decatur hospital after she was found stabbed in the back in in a restroom at Danville High School.

Morgan County Solicitor Miles Powell said charges were filed against Linda Higdon and Dorothy Holt, both of whom were placed in Morgan County Jail Tuesday night.

The Higdon girl was released under $750 bond Wednesday night, but the other girl still was being held under $750 bond.

Lt. E. B. Watts, a state investigator, said the two girls admitted plotting to kill Willene.

Report Holds Burial Urn Lost In Theft

A spokesman for the Montgomery Marble Works said here Wednesday that a brass burial urn found at a local scrap metal firm was stolen several weeks ago.

Robert Ryan, manager of Mutual Savings Insurance Co., said the container was taken from the attic of the marble works building on Fairview avenue.

A number of items have been stolen from the works, he said, since Mutual purchased the marble firm from Memorial Service Insurance Co. last September.

An article in Wednesday's Advertiser erroneously reported that the marble works had gone out of business about three months ago. Ryan said the firm is still operating, just as it has since 1858.

The Mutual manager said he is investigating to determine who took the urn, which once contained the remains of Mrs. Wynona Ford Bell.

Mrs. Bell died here in 1948. Her ashes were removed from the large urn and placed in a smaller container which was put in the Bell family vault in Oakwood Cemetery.

The brass urn was left at the Marble Works which handled the engraving job. It turned up at the Mount Metal Scrap Material Co. here last week.

Flogging Report Being Checked

ALEXANDER CITY (AP) — Police here are investigating the beating of a white man who says he was taken from his house and flogged with a leather strap last week.

Lum Bennett, a 56-year-old textile mill worker, told police he didn't know the six or eight men who beat him, said Police Chief Winfred Patterson.

"I don't know whether he knows why it happened," Patterson said. "He didn't say."

Patterson said Bennett did not make a complaint to police, but that officers heard about the beating through other sources and questioned him.

The police chief said Bennett told him the men came to his house last Friday night, took him 12 or 14 miles away in a car and beat him with a leather strap.

Then they turned him loose and he walked to a highway intersection, where he caught a ride home.

Student Can't Identify Assailants

TUSCALOOSA, April 6 (AP) — A ministerial student who reported he was flogged here following an interracial group meeting at his church has been unable to identify his assailants, according to police.

James David Fackler, 24, reported to the FBI that he was flogged March 16. The incident became known publicly only last week.

Fackler fled to New Orleans following the incident.

Police said he returned to Tuscaloosa Wednesday at the request of the FBI but was unable to give officers any new leads. The investigation is being continued.

Fackler is a student at Concordia Seminary in St. Louis and was interning at the University of Alabama and the University Lutheran Church at Tuscaloosa.

The district organization of the Lutheran Church, Missouri synod, has filed a complaint in connection with the incident with the Tuscaloosa County Grand Jury.

Robert Shelton, grand dragon of the Alabama Ku Klux Klan, said "I wonder if he was actually flogged or if it was a publicity move?" He did not elaborate.

FBI in Chicago arrest Robinwood robbery suspect

IN FAYETTE COUNTY

A 21-year-old Negro, wanted here in connection with the armed robbery of Robinwood Station filling station on the night of Jan. 6, 1961 has been arrested in Chicago.

Thomas J. Jenkins, agent in charge of the Birmingham FBI office, said the suspect, Joseph Alto Munford, was arrested in Chicago by FBI agents Friday night.



MUNFORD

The Jefferson County Grand Jury indicted Munford last June on robbery charges. A federal warrant charging unlawful flight to avoid prosecution was filed before Mrs. Louise O. Charlton, U. S. commissioner here, on Sept. 8 of last year.

Munford and a companion allegedly drove into the filling station on the night of the robbery and told the manager, Wallace Ray Sparks, they were out of gas.

Inside the station, officers said, a pistol was drawn and $80 taken from the cash register.

Munford reportedly had been living here with a relative on Slaydon-av. The relative reported two pistols stolen from him prior to the robbery. The fugitive's mother lives in Selma.

Munford will be returned here by a representative of the Jefferson County sheriff's office, Jenkins said.

Father, Son Abducted, Beaten By Night Riders

FAYETTE (AP) — A man and his son, both unemployed, reported they were abducted and flogged by a band of night riders Saturday night. It was learned Monday.

Circuit Solicitor Louis Moore said Mack D. Parrish, 43, and his son, Tony C. Parrish, 23, both of Berry, were "terribly beaten on the buttocks and thighs."

Their assailants gave no reason for the beating, the solicitor said.

Moore said the Parrishes were taking Roy Strickland, a friend, to his home about 10 p.m. Saturday when their car was blocked by another car on a county road outside Berry.

STRUCK ON HEAD

Two or three men with pistols jumped from the car blocking the road, and from another car parked nearby, and struck the Parrish men on the head with a pistol and some other object, Moore said.

Strickland leaped out of the Parrish car and fled.

The men loaded the Parrishes into their cars and took them one or two miles down the road, got them out of the cars, put sacks over their head, forced them to lie down and beat them with a belt or a whip, Moore said.

Then they ordered the Parrishes to get up and run.

Moore said the Parrishes told him they did not know any of their assailants, and knew of no motive for the beating.

The elder Parrish, the father of 12 children, said he had been unable to work for some time because of his physical condition. The younger Parrish has worked part-time as a farm laborer.

Moore said he had "nothing much worth mentioning so far" in the way of a lead on the identity of the assailants.

Berry, located in rural Fayette County in west Alabama, has a population of about 1,000.

Whites, Negroes Fight In Alabama

ANNISTON, Ala. (AP) —Negro and white persons exchanged blows on a downtown street Thursday in a brief moment of racial tension following a demonstration by Negro students.

Two Negroes pulled pistols during the fracas.

Police officers, standing by to keep order after picketing students had quit the demonstration, moved in quickly.

They disarmed the two Negroes and dispersed the crowd of about 300 persons milling around the outskirts of the fighting.

"It was a close call," said Police Chief J. L. Peek. "It couldn't have been any closer. Just the striking of a match at the wrong minute — and, well, that would have been it."

One Negro, clubbed with a heavy piece of chain, was bleeding from the head at the end of the battle.

The police chief said three men were arrested, Negroes Wallace Hendrix, 22, and Bobby James Noel, 35, both taxi drivers, and a white man, Mack Wilkerson, 30, a pipe mill worker here.

The Negroes were held on charges of assault with a gun; the white man on a disorderly conduct charge.

The fight took place shortly before noon in front of police headquarters near the heart of this east Alabama industrial town of about 32,000.

white waiting room at a train station.

Negro taxicab driver Bobby Noel, 22, was fined on his guilty plea to a charge of assault with a gun. Mack Wilkerson, a white man, was fined $100 on his plea of guilty to a charge of disorderly conduct.

Another Negro cab driver, Wallace Hendrix, was charged with assault with a gun but pleaded innocent and the case was continued until Saturday.

Hendrix claimed he was not armed at the time of the incident. He said a pistol police took from him was one he knocked from a white man's hand.

The three men were arrested after they scuffled following a demonstration by 350 Negro students from Talladega College.

The students were protesting the beating of student Arthur L. Bacon, 23, of West Palm Beach, Fla., who claimed he was attacked by four white men who accused him of sitting in the white waiting room of the train depot.

Bacon claimed he only walked through the waiting room to ask for information.

Ormand L. Kirk, 24, of near Anniston was placed under $1,500 bond pending Grand Jury action in connection with the attack Monday. He claimed at a preliminary hearing Thursday he was innocent.

$100 Fines Levied On Negro, White

Race Fight At Anniston Follows Beating

ANNISTON, Ala., Jan. 6. — (UPI)—Two men were fined $100 each Friday on charges growing out of a gun-wielding, Negro demonstration Thursday that police broke up with drawn pistols.

The demonstration was in protest against the beating of a Negro student who entered a

Two beaten by whites at station

TALLADEGA, Ala. — Because he took a seat in the main waiting room at the Anniston (Ala.) railway station, a 23 - year - old Talladega senior lies badly hurt in the college infirmary.

Arthur L. Bacon, a senior at Talladega, told the AFRO he was returning to college from Christmas holidays at home, West Palm Beach, Fla. While waiting in the main waiting room for transportation to the college, he noticed two white men eyeing him steadily — at one point, they went to the telephone and made a call.

When the college station wagon arrived, Mr. Bacon waited in it with the driver, Mose Lawler, for students arriving on a later train.

* * *

"SUDDENLY," he told the AFRO, "four or five men came up and said, 'We're looking for a n—r who was sitting in with the whites, have you seen him?' Mr. Lawler said "no" but one of the men pointed me out.

"The men dragged both of us out of the station wagon. It happened very quickly. They started beating both of us. I was hit first with what seemed to be a sawed - off baseball bat. One of them said 'gimme a knife' but he must not have gotten it.

"It seemed like an eternity — I don't know how long it actually was. I was unconscious. When I came to, the ambulance and some policemen were there. I was treated at Aniston Hospital and was there about an hour before the college doctor arrived to take me to the Talladega Infirmary."

* * *

MR. BACON suffered severe lacerations of the head and face and bruises on the body. One tooth was knocked out and two more broken. Mr. Lawler's less serious injuries were treated also at the college infirmary.

* * *

ONE WHITE man, Ormand L. Kirk, 24, was arrested in connection with the attack. Police said the car the attackers left the scene in was registered in Kirk's name.

Mr. Bacon said that in court Thursday, he could not positively identify Kirk as one of his assailants. However, the defendant was bound over to the grand jury on bond of $1,500 on the basis of the license plate registration.

Shortly after this hearing, the entire student body of Talladega, some 350 men and women, staged a silent protest march around the courthouse. They carried no placards, uttered no slogans, sang no songs.

Policemen on the scene did not prevent several minor attacks upon them nor did they arrest any of the white attackers.

At about the same time, a colored cab driver and some white men were allegedly involved in an argument. It was reported that at least one of the white men was arrested. Two colored persons were also reported arrested.

* * *

RICHARD SCOTT, college public relations director, said of Thursday's court hearing:

"No one from the police station notified us — I just happened to hear it over the radio. I called the police to check on it and they then told me to have the two witnesses in court Thursday morning.

"I just wonder if we would have known about it if it had not been on the radio."

There is a possiblity that if the two beating victims had not shown up at court Thursday, the case would have been dismissed for lack of prosecution.

* * *

MR. BACON is the son of Mrs. Velma Bacon of West Palm Beach, Fla. A senior biology student, he plans to be a medical illustrator when he is graduated.

He is a member of the Talladega swimming team and the nucleus of a student civil rights group now being formed.

Authorities Seek Lead In Tuskegee Safe Job

TUSKEGEE — Sheriff Preston Hornsby said Sunday night his department is still looking for a lead in a Thursday night grocery store safecracking which netted thieves $924, mostly in coins.

Hornsby said only $62 of the money taken from Carter's Grocery was in bills. About $400 was in half dollars and $12.50 was in special Booker T. Washington half dollars. The rest was in coins of various denominations. Most of them were wrapped.

Hornsby said the burglar or burglars, entered through a rear window. The building is located in the Tuskegee Institute area.

Folsom Hits At Flogging

Former Gov. Jim Folsom Sunday condemned the flogging of a white ministerial student in Tuscaloosa and warned that such incidents could only lead to more serious racial troubles in the future.

"I believe the majority of the people of Alabama, both black and white, resent the agitators on both sides.", Folsom said.

Folsom's comment was in reference to the alleged beating of the Rev. J. D. Fackler after he had attended a bi-racial meeting in Tuscaloosa recently.

"There is no integration in Alabama, there is no race trouble in Alabama and there is no integration case in court in Alabama," Fosom said. "Alabama is the only state in the nation in that shape today, but we won't be in that shape very long if the floggers keep on flogging."

Saturday night more than 1,000 members of the Ku Klux Klan met in Tuscaloosa, apparently as a result of the alleged beating. Later, KKK Grand Wizard Bobby Shelton said local ministers had assured him there would be no more bi-racial religious meetings in that city.

At the same time, Shelton emphatically denied Fackler had been beaten by members of the KKK. as the minister had charged.

U.S. Probing Flogging of Ala. Cleric

United Press International

The Justice Department said yesterday it is looking into the March 16 flogging of a white ministerial student who held a racially mixed "human relations" seminar at a Lutheran church in Tuscaloosa, Ala.

But a spokesman said the Department has so far received no evidence that federal law was violated in the incident, which involved James B. Fackler, a 24-year-old ministerial assistant.

Fackler was on loan from the Concordia Seminary at St. Louis, Mo., to the University Lutheran Church at Tuscaloosa. He reported to the FBI on March 16 that a group of men had taken him to afield outside town and flogged him with a rubber hose.

He told the FBI that his assailants told him to get out of town because of a meeting he had held the firts week of February in the Tuscaloosa church. Several Negroes attended.

He also said that two days after the meeting a cross was burned on the front lawn of his house.

Talladega Students.

Protest March Over Beating of Pair at Anniston

TALLADEGA, Ala.—Talladega Coollege students marched around the courthouse, jail and other public buildings in Anniston, Ala., protesting the arrest of only one of several men who assaulted a Negro.

The protest was against an assault by several men which took place on the morning of Jan. 2 at the Southern Railway station in Anniston, and the fact that only one man was apprehended.

Arthur Bacon, a senior from West Palm Beach, Fla., was returning from the Christmas holidays. He waited in the interstate waiting room until arrival of the college station wagon, scheduled to meet a train due from the North.

■

WHEN THE car, driven by Moses Lawler of Talladega, reached the station, Mr. Bacon went out and took a seat in it. Several men came up, opened the doors, and attacked both occupants. As one or more of the assailants struck Mr. Lawler someone exclaimed, "He's not the one!"

Mr. Bacon was then pulled from the car, pushed onto the sidewalk, kicked and beaten with instruments about the head and back. A forest ranger driving by stopped and broke up the attack. The assailants fled.

Mr. Bacon was removed by ambulance to the Anniston hospital, from which he was brought to the college infirmary that afternoon for complete examination and necessary treatment. Mr. Lawler, with glasses broken, several teeth knocked out, and face bleeding drove the station wagon and two passengers back to the campus.

■

THE administration, through President Arthur D. Gray, immediately called Anniston police officials to urge arrest of all assailants, and contacted Atty. Arthur D. Shores of Birmingham, lawyer on the Board of Trustees, to inquire into possible civil rights violation.

One man was arrested and was bound over to the Grand jury.

■

WHILE THE administration pursued all available measures concerning the attack, returning students and staff members were given safe conduct back to the college and reopening of classes Jan. 4. That night the student body held its meeting, voted to protest by a march in Anniston, and collected money to be used as needed.

Rights Division checking—

FBI steps out of Tuscaloosa flogging case

WASHINGTON, April 4—(AP)—The Justice Department says a preliminary inquiry into the reported flogging of a young white ministerial student in Tuscaloosa, Ala., after a racially mixed meeting at his church has failed to indicate any federal law violation.

However, officials reported that the Civil Rights Division still has the matter under consideration.

The student, James David Fackler, 24, reported to the FBI he was assaulted on March 16, apparently because of a human relations seminar conducted at his church Feb. 5.

Fackler said he invited a white minister from Birmingham to address the session and the latter brought along several Negroes who participated in the discussion.

Fackler said a cross was burned on the lawn of his house two days later.

He told the FBI that on March 16, a group of white men appeared at his church, blindfolded him and took him out into a field where he was flogged across the back with a rubber hose. Afterwards, he said, he was wanred to "get out of town."

AFTER REPORTING to the FBI, Fackler went to New Orleans to await a re-assignment.

He is a student at Concordia Seminary in St. Louis, and had been interning at the University of Alabama in Tuscaloosa and the University Lutheran Church there.

The church organization in St. Louis has asked for investigation of the matter by local authorities. But in Tuscaloosa, officials said they have "run aground" in their investigation.

In Birmingham, the FBI said it had turned the case over to the Justice Department and would not have any part in an investigation.

AFTER MIXED MEETING

Student Cleric Reports Beating At Tuscaloosa

NEW ORLEANS, La. (AP)—A young ministerial student says he has reported to the FBI that he was abducted and beaten at Tuscaloosa, Ala., following a racially mixed meeting at a church.

James David Fackler, 24, said the meeting was held Feb. 5, a cross was burned near his residence Feb. 7, and he was beaten the night of March 16.

He left Tuscaloosa the day after the beating, he said, because his attackers warned him "to get out of town."

At Tuscaloosa, Circuit Solicitor Fred Nicol and Police Chief W.C. Tompkins Jr., said they were investigating the incident. Nicol said the "matter has been called to the attention of the Grand Jury."

The FBI at Birmingham, Ala., said it had no comment to make other than to say it had forwarded its information to the Justice Department in Washington.

Fackler, whose wife is expecting their first baby, is from Toledo, Ohio, and a student at Concordia Lutheran Seminary at St. Louis. He was interning at University Lutheran Church at Tuscaloosa.

Fackler said Saturday he was abducted at the church by men who accused him of "bringing niggers into town and into the church."

"I went up to the door and was grabbed from behind," he said. "I'm pretty sure there were more than four men. I think they had followed me.

"One of hem put his hands over my eyes and mouth and they stretched me out in the back seat of a car and took me to a secluded spot.

BROUGHT NEGROES

"Then they masked me and punched me a couple of times in the stomach and made me lie on the ground. They flogged me across the lower back and buttocks."

After the beating they walked him to nearby railroad tracks, told him to count to 100, then take off the mask and follow the tracks to town.

"I really got a good swelling out of it," Fackler said. "I was stiff and black and blue."

Fackler said the interracial meeting at the church was a human relations seminar. He was moderator.

The Rev. Joseph Ellwanger, a white minister from Birmingham, Ala., attended the meeting of about a dozen students, bringing along three Negro members of his church.

The Negroes took part in the discussion which "ran the gamut of human relations, including integration," Fackler said.

At Tuscaloosa, the Rev. Milton Popp of University Lutheran Church said the congregation sent a resolution to law enforcement officers protesting "Such brazen lawlessness."

At Cullman, Ala., the Rev. Edgar Homrigausen, president of the Southern District of the Missouri Synod, Lutheran Church, said Fackler called him about 3 a.m. after walking home from the beating.

Between the cross burning in early February and the beating in mid-March the Rev. Mr. Homrigausen went to Tuscaloosa, he said, and met with Robert Shelton, Grand Dragon the Alabama Ku Klux Klan.

"I asked him what was meant by a cross burning and he told me it was a warning," the Rev. Mr. Homrigausen said. "that's about all that was said."

3 Tell Police Of Floggings At Sylacauga

SYLACAUGA (AP) — Three persons — two white men and the wife of one of them—reported they were flogged by groups of white men Saturday night.

Sheriff Luke Brewer said Mr. and Mrs. Marlin White, both near 50, reported they were taken from their house here to an isolated area in the county, stripped and flogged by a group of six men.

White said the men told him they were whipping him and his wife because they had been associating with Negroes and had permitted a Negro to whip their children. He denied the assucations.

Brewer also said James N. Guthrie, 34, reported that three white men came to his house, forced him to undress and flogged him in the house.

HIRED NEGRO MAID

The sherif said Guthrie reported the men told him he was whipped because he hired a Negro maid to care for his two small children. Guthrie and his wife are separated, the sheriff added.

Brewer said he and Police Chief R. A. Rylant of Sylacauga were investigating the incidents but that so far they had little information which might lead them to the attackers.

Rylant, who said he was awakened by a newsman's telephoned inquiry Sunday night, declined to comment and would not confirm that he was conducting an investigation.

The Whites and Guthrie live about two blocks apart and Brewer said they apparently did not know each other.

He said he had no clues as to whether the same group of persons administered both beatings. But he added that the two incidents apparently took place about the same time.

White gave this account:

Six men in two cars took them from their home late Saturday night and drove to a lonely spot about six miles from Sylacauga. The men were not masked but White did not recognize any of them.

MADE TO DISROBE

White and his wife had retired and were wearing night clothes. They were made to disrobe and three men gave him 20 to 25 licks with a five-foot length of heavy leather and a fourth man whipped his wife. White was hit on the head by a flashlight or blackjack.

After the beating White said he and his wife managed to reach a backwoods road. They flagged down a car and were taken to their home. He said a doctor examined them and then they reported the incident to police.

White said he was employed as a carpenter foreman on a construction project near the Alabama - Florida line and that six or seven years ago he was active in ministerial work in a Primitive Baptist Church.

Sylacauga is about 50 miles southeast of Birmingham.

IN DEFIANCE OF GOVERNOR

Gallion To Seek Court Decision On Loan Law

By THE ASSOCIATED PRESS

His opinion ordered ignored by the governor, Atty. Gen. MacDonald Gallion says he will ask the courts to settle the controversy over interpretation of Alabama's small loan law.

In a statement late Tuesday Gallion said he "immediately" is filing a Circuit Court suit for a declaratory judgement. He emphasized that the suit will relate to late charges on default on loans of $75 or less, and not to interest charges.

Gallion said it has come to his attention that various interpretations of the law have the maximum amount of total repayment on a $75 loan to ranging from $92.70 to as much as $210.

His own opinion, he said, was expressed in a recent ruling from the attorney general's office putting the maximum total repayment at $105. Gallion said the suit to "let the courts determine exactly what the legislature intended" will be filed "within a few days."

Gov. John Patterson Tuesday threatened to prosecute any moneylender who tries to collect late-payment fees which according to his own interpretation Gallion ruled are lawful. He ordered lenders to disregard a recent ruling by Gallion.

Patterson, insisting on a more stringent construction of the law, said small loan operators who abide by his interpretation of the attorney general's advisory opinion face court injunctions and possible criminal penalty.

The two officials disagreed over the maximum charge allowed on late payments on loans of $75 or less, and even over what Gallion said the law means.

Patterson told a news conference the attorney general's ruling, despite a later clarification, could be construed to mean that moneylenders can charge a $1 late fee every 15 days on each $5 of the loan.

Gallion said that isn't so. He said the original advisory opinion prepared by a member of his staff may have left that impression, but that it was clearly pinpointed in a later ruling that the $1 charge on each $5 can be collected only once.

In other words, the attorney general explained, on a $75 loan repayable in $5 installments, the borrower could be charged a $1 late fee on each payment. That would be a maximum late charge of $15.

The governor said the attorney general's ruling could be interpreted to allow a $1 charge per $5 for every 15 days of the delinquency. Or if a payment were 30 days late, the charge might be $2 instead of $1.

Actually, Patterson said, there is no provision in the law for the $1 charge in the first place. He said the maximum legal late charge is 3 per cent of the amount of the payment due regardless of how long it runs.

The governor told newsmen that since an attorney general's advisory opinion, in this instance, is purely advisory, "we don't have to take the advice."

He said he would welcome a court test.

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Negro Sentenced On Narcotics Charge

MOBILE, March 24 (AP) — A 22-year-old Negro, Freddie Lee Sigler, was placed on three years probation in U. S. District Court today on his previous guilty plea to a narcotics violation.

A Mobile Negro grocer, Eugene Walker, 35, had been sentenced to an eight-year term and fined $2000 March 6 in the same case. He was convicted by a Federal jury last month. He appealed and appeal bond was set at $10,000.

Federal officers charged Walker sold dope and Sigler delivered it for him.

GALLION SLAPS BACK

The Montgomery Advertiser

Loan Ruling Facing Test

Montgomery, Ala. Thurs. 1-5-61

By ARTHUR OSGOODE

Details of Alabama's small loan law moved toward a court test Wednesday after a verbal barrage between Gov. John Patterson and Atty. Gen. MacDonald Gallion.

Gallion took an open slap at Patterson for announ ing that loan companies wo ordered to disregard a r ruling from the attorney genera office.

"There have been certain o vious attempts to make it appea that I am siding with the smal loan operators," said Gallion. "This is untrue, malicious, and ridiculous."

He followed up his statement with a suit in Montgomery Circuit Court, asking a declaratory judgment on how much lenders can collect on late payments.

Named as defendant is General Finance Service, which has a Montgomery office. The suit charges the company with charging $1 for each $5 loaned for every 15 days payments were past due.

'GOOD FRIENDS'

Gallion is maintaining the late charge can be collected only once on each $5 under the small loan law, no matter how long the payment is overdue.

Patterson replied to Gallion's obvious attack on him Wednesday in a statement which read:

"Mr. Gallion and I are good friends and have been for many years and it is difficult for me to understand the statement that he has made.

"I have done all that I could to stamp out the illegal practices of the loan sharks in Alabama and to carry out the duties of my office. I do not feel that personal ambitions or personal feelings should interfere with the carrying out of our duties.

"I have no quarrel with the attorney general. I will be the first to admit that I made mistakes when I was attorney general.

UNCLEAR, CONFUSING

"However, I respectfully disagree with this opinion, and I do not feel that I can conscientiously enforce any law in a manner allowing more interest on loans than the Legislature intended."

Gallion said there are "many unclear and confusing sections in the law," including the one on late charges.

"Legislators who passed the act have expressed different viewpoints as to the intent of the law," his statement read. "Many fine lawyers disagree on this matter, and that disagreement on the meaning of the section exists even in my office."

In a personal swipe at Patterson, the attorney general rapped out that:

"I would like to point out that I do not own and never have owned stock in any bank or loan company — and I do know the difference."

This was an obvious reference to the disclosure during Patterson's campaign for governor that he had owned stock in a Phenix City company that was authorized to make loans.

THOUGHT IT A BANK

Patterson explained at the time that he thought the firm was a bank, not a loan company.

The Patterson-Gallion clash grew out of a statement issued by Patterson Tuesday in which he took Gallion's office to task for an advisory ruling.

Patterson construed the ruling as allowing collection of late charges of $1 per each 15 days on each $5 that was delinquent. The ruling applied to loans of $75 or less.

Gallion disagreed with this interpretation, and said the opinion had been clarified so as to make sure the lender was entitled to the late fee only once.

And disclaiming any favor shown to loan sharks, he pointed out that he filed "the largest mass injunction suit in the legal history of the United States" against them.

Officers of the loan firm named in the suit, General Finance were listed as L. R. Polan, W. Lee Moore Jr., and C. C. Hindrichs.

Small loan law controversy goes to court

The Birmingham News Birmingham, Ala. Thurs. 1-5-61

Alabama's small loan controversy today was before the courts as Gov. John Patterson, reemphasizing that he has no quarrel with Atty. Gen. MacDonald Gallion, replied to a statement by Gallion.

Concerning enforcement of the small loan law in this state, Patterson said, "I do not feel that personal ambitions or personal feelings should interfere in any way with the discharge of our duties."

PATTERSON ISSUED the statement in Birmingham where he spent the night, after meeting with other Democratic leaders at the Molton Hotel to set up a permanent party campaign organization.

Gallion yesterday filed a suit in Montgomery Circuit Court seeking a declaratory judgment to determine just how much a money lender can charge legally in late-payment fees on loans of $75 or less.

The attorney general's suit was filed after Gov. Patterson ordered loan companies to disregard Gallion's advisory opinion on the matter. Gallion and Patterson had exchanged a series of statements in the most serious dispute between the two since they took office two years ago.

ACCORDING to the opinion by Gallion, a money lender can collect $1 on each $5 payment on such a loan.

As such loans usually are written for $90, this would permit a maximum of $15 in late-payment fees. Patterson said the ruling could be construed to legalize late fees of $1 every 15 days on each $5 payment.

In an apparent reference to the governor, Gallion charged that "there have been certain obvious attempts to make it appear that I am siding with the small loan operators. This is untrue, malicious and ridiculous."

Gallion's suit in equity names as defendants General Finance Service, which has an office in Montgomery, and the firm's officers, listed as L. R. Polan, W. Lee Moore Jr. and C. C. Hindrichs. The complaint says the firm charged its borrowers $1 on each $5 payment for each 15 days the payments were past due.

IN THE LATEST exchange, Patterson said in a statement:

"I've worked now since the Fall of 1954 trying to stamp out loan shark practices in Alabama. I feel that our combined efforts helped bring about passage of the small loan law we now have.

"It's the duty of the Bureau of Loans, in the State Banking Department, which is a department under me as governor, to enforce the law. And that we intend to do.

"I believe that the attorney general's opinion authorizes the collection of more interest on loans than the law provides, and we respectfully disagreed with the opinion and declined to follow it.

"I don't feel that we can conscientiously enforce any law in a manner not intended by the Legislature that passed the law.

Birmingham, Ala.

"I HAVE NO QUARREL with the attorney general and have attacked no one except possibly the loan sharks. On some occasions when I was attorney general, people disagreed with my opinions, and I certainly would be the first to admit that I have made mistakes.

"The attorney general and I are good friends and I certainly intend to work with the attorney general throughout my term of office to do all that can be done to enforce the laws of the state and carry out our duty to the people.

"I do not feel that personal ambitions or personal feelings should interfere in any way with the discharge of our duties."

Atty. Gen. Gallion has been widely talked as a prospective candidate for governor next year.

Gallion-Patterson Feud Will Be Taken To Court

The Talladega Daily Home Talladega, Ala. Thurs. 1-5-61

MONTGOMERY (AP) — The controversy over part of Alabama's small loan law now is before the courts.

Atty. Gen. MacDonald Gallion filed a suit in Circuit Court Wednesday, asking for a declaratory decree to determine how much a moneylender can charge in late-payment fees on loans of $75 or less.

The action came after Gov. John Patterson ordered loan companies to disregard Gallion's advisory opinion on the matter, and Gallion and Patterson exchanged a series of statements in the most serious dispute between the two since they took office a year ago.

Gallion said his opinion sets out that a moneylender can collect $1 on each $5 payment on such a loan. As such loans usually are written for $90, this would permit a maximum of $15 in late-payment fees.

Patterson said the ruling could be construed to legalize late fees of $1 every 15 days on each $5 payment. Gallion disagreed.

In an apparent reference to the governor, Gallion charged that "There have been certain obvious attempts to make it appear that I am siding with the small loan operators. This is untrue, malicious and ridiculous . . . I would like to point out that I do not own and never have owned stock in any bank or loan company—and I do know the difference."

The last appeared to be a reference to Patterson's one-time connection with a Phenix City company which was authorized to make loans. When his ownership of stock in the firm became known while he was running for governor in 1958, Patterson explained that he thought it was a bank.

In reply to Gallion's statement Wednesday, Patterson said: "We are very good friends and have been for many years. It is very difficult for me to understand the statement he's made. That's all I have to say."

Over Small Loan Law

Gallion Split With Governor

MONTGOMERY (AP) — Atty. Gen. MacDonald Gallion, at odds with the governor over interpretation of Alabama's small loan law, says he will ask the courts to clarify the matter.

Announcement of the planned suit came after Gov. John Patterson at a news conference Tuesday said he was ordering moneylenders to disregard an advisory opinion issued by Gallion's office.

The disagreement concerned the maximum penalty charge allowed for late payments on loans of $75 or less.

Gallion said he would "immediately" ask Circuit Court for a declaratory decree to "determine exactly what the Legislature intended."

Later he said he meant the suit would be filed "within a few days." He emphasized that the suit will relate only to the late charges in question, and not to interest rates.

The attorney general said he understands that various interpretations place the maximum repayment on a $75 loan at amounts ranging from $92.70 to as much as $210.

He repeated his own opinion, which he said was expressed in a recent ruling from his office, that the maximum legal total repayment would be $105. As loans to net $75 usually are written for $90, this would make a maximum late-penalty charge of $15.

Patterson said the attorney general's ruling could be construed to mean that lenders could charge a $1 late fee every 15 days on each $5 of the loan.

Gallion conceded that an advisory opinion prepared by a member of his staff may have left that impression, but insisted that a later ruling made clear that the $1 charge could be collected only once on each $5. That would permit a maximum of $15 in late penalties.

However, Patterson said the law sets a maximum late charge of 3 per cent of the amount of the payment due, regardless of how long it runs.

The governor threatened to prosecute any lender who tries to collect late-payment fees which the disputed attorney general's opinion says are lawful. Saying he would welcome a court test, Patterson said the late-charge provisions of the law are "so ambiguous that you could figure the maximum charges any one of four ways."

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CALIFORNIA

Parents, who locked girl in, sentenced

SANTA CRUZ, Calif., April 7—(AP)—The parents of a 13-year-old girl were sentenced yesterday to 60 days in jail for locking their daughter in a bedroom for more than six years, letting her out only to go to school.

"It seems hard to conceive of any excuse," Superior Court Judge Gilbert L. Perry told Elmer Kensinger, 46, a coin dealer, and his wife, Ruby, 36.

The Kensingers pleaded guilty to contributing to the delinquency of a child.

POLICE, who investigated last month when the girl, Joyce Elaine, refused to go home from school, found her room furnished with only an iron bed. The door to the bathroom had been nailed shut and a window nailed down.

Joyce told police she was not allowed out to play with the other four Kensinger children, and in six years she had eaten only two meals with the rest of the family.

KENSINGER SAID Joyce was punished for "sassing her mother."

The couple's five children have been placed in foster homes.

Kensinger and his wife have been in jail 30 days. Judge Perry allowed that to be counted on the 60-day sentence. They were placed on three years probation.

Veteran Police Inspectors Found Guilty Of Framing Prominent Long Beach Medic

LOS ANGELES.—(AP)—Two veteran police inspectors found themselves on the opposite side of the law after failure of their efforts to frame Dr. J. O. Garland, prominent Long Beach doctor, and swindle him of $400 a month.

Found guilty last week of five counts of soliciting bribes and one of conspiracy were Harry P. Finch, 48, and James A. Thiele, 42. The jury returned the verdict against the pair after deliberating over the testimony for an entire week.

The lengthy case, which opened Feb. 1 after numerous delays, finally was submitted to the jury April 7.

Finch and Thiele immediately entered a motion for a new trial. Each is free on $20,000 bond.

Superior Court Judge Howard McClain set May 28 for ruling on the motion. If denied, Judge McClain will announce sentence on that day.

The two officers, both of whom had been on the force more than 18 years, were accused of threatening Dr. Garland with arrest on abortion charges unless he agreed to pay $400 a month "hush money."

This was early in 1960.

Chief Makes Probe

Dr. Garland, although denying that he was guilty of any wrongdoing, nevertheless agreed to make the payments. At the same time, however, he went to Police Chief Bill Mooney and explained the situation.

After an investigation, Mooney was convinced that Dr. Garland was innocent and that the officers were trying to work a racket. He suggested that the doctor pay the money as indicated, through Warren Jordan and a white fellow-officer, Ray Henry, whom Thiele and Finch had impressed to act as go-betweens.

Both Jordan and Henry had also gone to Mooney to tell him about the request made of them by Thiele and Finch.

Set Trap

When the September "payment" became "due," Dr. Garland was provided with intermediaries to be transmitted to the inspectors.

At the appointed time and place, Warren handed Thiele a package of bills. Undercover agents watched the transaction

They immediately arrested Thiele and a few minutes later took his buddy into custody while he was processing an arrest.

Both men stoutly denied that they had attempted to swindle Dr. Garland and claimed instead that they had learned that the two young officers, Jordan and Henry, were engaged in extortionist activities and had set out to trap them.

The jury, however, didn't accept their vision and ruled against them.

Airline Pilot and Agent Shot Fighting Off Crazed Gunman

United Press International

CHICO, Calif., Aug. 1.—A man went berserk aboard an airliner preparing for takeoff last night, shot the pilot and an airline agent, fired on nine passengers and attempted to fly the plane himself before he was subdued.

The man, Bruce McRae Britt, 40, of Columbus, Ohio, boarded the Pacific Airlines DC-3 as it was about to taxi down the runway for the 150-mile flight to San Francisco.

He said later he got the idea of seizing the plane from news reports of the hijacking of an Eastern Air Lines craft by a Cuban desperado July 24. Penniless, he envisioned this as a step towards rejoining his wife and daughter in Smackover, Ark.

May Lose Sight.

His victims, pilot Oscar W. Cleal and passenger agent William Hicks, were expected to recover, but it appeared almost certain the pilot would lose his sight.

Witnesses said Britt, pursued by agent Hicks, dashed into the plane and took a seat. When Mr. Hicks ordered him to leave because he had no ticket, Britt drew a snub-nosed revolver and shot the passenger agent in the groin.

He then fired three times at the other passengers, two boys and seven men, but hit no one.

Britt then pounded on the door of the pilot's compartment, shouting, "let me in or I'll kill everybody on this plane." The craft was already taxiing towards the runway.

Co-pilot Alan Wheeler, 29, opened the door and Britt rushed past him, putting the gun to the head of Capt. Cleal, 42. "Let's move," he ordered.

When the pilots attempted to reason with him, he shot Capt. Cleal. The bullet entered the cheek, severed both optic nerves and came out of one eye.

But Co-pilot Wheeler struggled with him and knocked the gun away.

Britt drew a switchblade knife and continued fighting. Several of the passengers helped Mr. Wheeler subdue him.

Sheriff's officers had come on the field on an alert from the airport tower, which was in communications with the plane by radio.

Britt was hogtied and chained on the runway by sheriff's deputies and then carted to jail in Chico and later to the county jail here.



United Press International Telephoto.

Bruce McRae Britt, 40, lies hog-tied in chains next to auto on airport runway in Chico, Calif., after unsuccessful attempt to hijack plane.

Negroes Break Up Party With Armed Attack

LOS ANGELES (AP) —Police said 20 Negro youths armed with clubs, hammers and a pitchfork broke up a high school sorority party.

Three guests were treated for injuries. Nine youths, described by officers as part of the invading group, were booked on suspicion of assault with deadly weapons.

The half-hour ruckus between the party crashers and 20 young caucasians occurred Friday night at the John McRoberts home, where the party was in progress around the swimming pool.

"Several fights broke out between individual fellows," said McRoberts. "Then when John Thomas was knocked down several of the Negroes kicked him."

Thomas, 17, a guest, was treated for a concussion at St. Vincent's hospital. Police said he was beaten on the head with a hammer and a bottle. Two other male guests also required medical treatment.

McRoberts, 40, said the Negroes bombarded the front of the house with clubs and hammers before fleeing. He said he and his guests had retreated by that time, seeing no hope of overpowering the invaders.

"I got a bump on my head during the whole thing," said McRoberts, whose 16-year-old daughter was the hostess. "I feel fortunate it wasn't worse than it was."

FBI Seeks To Pin Down Tower Blaster's 'Army'

SAN DIEGO, Calif. (AP)—The size and wealth of the "American Republican Army," whose alleged questions authorities sought an answer Monday as they continued investigation of the blowing up of three vital communications towers May 28 in Nevada and Utah.

The FBI held two persons here without charge for further questioning after the arrest of the leader of the so-called army and an aide when they were deported from Mexico Sunday.

Frank Price, FBI agent in charge here, said he could not say whether there would be other arrests. He also declined to discuss what had been found out the size, in men and money, of the army.

Bernard Jerome Brous, 51, its self-styled leader, said its membership was "rather slim" when he was arraigned before a U.S. commissioner Sunday night on a charge of blowing up the microwave radio towers of the American Telephone & Telegraph Co.

WANTED PUBLICITY

Brous said he hatched the tower blast plot partly to get publicity for his movement, partly from hatred of public utilities. He told a newsman in 1959 that, while running a small business in Houston, Tex., the Southwestern Bell Telephone Co., forced him out of business by giving emergency repair work to a rival firm.

In Washington, a well placed source, asked about the size of Brous' "army," gave the opinion it is imaginary. The source said the feeling in official circles is that it was "met and conquered" when Brous was taken.

He and Dale Chris Jensen, 23, arraigned with him, are being held in lieu of $100,000 bail each for a hearing Tuesday on removal to U.S. District Court at Las Vegas, Nev.

Brous' wife, Minnie, 40, former dancer and model, and Robert Gerald Bostoff, 28, Reno, Nev., gambling dealer, are the two held for questioning.

They were with Brous and Jensen when Mexicans seized Brous' ammunition-laden sailing schooner Monsoon at Ensenada Saturday night.

All accepted deportation, rather than remain in the Ensenada jail pending slower extradition procedure.

'Shocked at Conviction,' Gibson Tells Courier

By CHES WASHINGTON

LOS ANGELES, Calif.—Truman Gibson Jr., well known Chicago Attorney told The Courier Friday he was "deeply shocked" over his conviction on two counts of conspiracy while his Attorney, Bob Ming, asked a Federal Court for a new trial.

Gibson, former director of the now dissolved International Boxing Club, had been on trial for three months, along with Frankie Carbo, alleged underworld boxing czar; Frank (Blinky) Palermo, Philadelphia fight promoter; Louis Dragna, and Joe Sica, charged with trying to get control of former welterweight boxing champion Don Jordan. A jury of 10 women and two men brought in a guilty verdict after 16 hours of deliberation.

Carbo, Palermo, Dragna and and Sica were convicted on multiple charges of conspiracy and extortion.

■

GIBSON COULD draw a maximum penalty of 25 years in prison and a fine of $20,000.

In the motion for a new trial for Gibson, Attorney Ming charged the Government prosecutor with making "improper inflammatory and prejudicial arguments to the jury" regarding the former IBC head.

Ming also charged the prosecution with offering the testimony of former promoter Jack Leonard and Donald Nesseth (Jordan's manager) into evidence, which the Government's representatives "well knew was false and misleading in material parts to the prejudice and harm" of Gibson.



MR. GIBSON

IT WAS ALSO charged that Gibson had been "denied a fair trial" in violation t othe Fifth Amendment.

Following the convictions, Alvin Goldstein the Government's prosecutor, said the case "shows what can happen when large interests enter into collusion with the underworld." Goldstein said, "It begun when Gibson conspired with Carbo to cut in on prize fight money and control."

Judge Ernest Tolin decided Friday to give defense lawyers until June 26 to add data to their new trial pleas and set July 20 as the date for hearing arguments and pronouncing judgment.

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OCTOBER

COLORADO

Denver Police Scandal Widens; New Disclosures Are Awaited

Governor Describes Working of Burglary Ring Within the Force—Organized Vice in Suburbs Is New Target

Special to The New York Times

DENVER, Oct. 2—New developments in Denver's spreading police scandal, including the involvement of several more policemen, were suggested today by state investigators.

Reports of organized vice in suburban Adams County, north of Denver, appeared to be the next major target in the state's investigation of police corruption in metropolitan Denver.

On Saturday twenty-three police burglary ring suspects were identified. These were in addition to thirteen Denver policemen previously named.

Gov. Stephen L. R. McNichols conferred with District Attorneys Bert M. Keating of Denver and Marvin Dansky of Adams County today.

They refused to disclose the nature of the session.

United States Attorney Lawrence Henry said Federal law enforcement officers were "observers" of the Denver scandal but that they would not take an active role in the investigations unless a Federal violation was disclosed.

The Governor disclosed the vice angle at a press conference Saturday that preceded arrests of Denver police burglar suspects.

Violations Listed

He said the activities of corrupt lawmen had "extended into the metropolitan area in varying degrees ranging from burglary, receiving stolen property, theft, gambling, prostitution and/or conspiracy to commit these crimes."

Sheriff Robert M. Roberts of Adams County, a former Federal Bureau of Investigation agent, is waiting trial on charges of working with five Denver police suspects in a series of safecrackings.

South east of Denver, in Arapahoe County, seven members of Sheriff Charles Foster's staff have been charged with burglary.

The sheriff there has been sued by the county for recovery of more than $100,000 believed to have been taken through excess charges in feeding prisoners.

The litigation on this suit is still pending.

In another development, Police Chief Charles R. Drake of Littleton, a Denver suburb, was dismissed today and accused of depositing $694 in collected fines in his own bank account.

He submitted to Littleton city officials a check in that amount.

However, District Attorney Martin P. Miller said investigation of the shortage had not produced sufficient evidence against Chief Drake to warrant criminal charges.

'Foolproof Racket'

Governor McNichols described the burglar ring that operated in the Denver Police Department as "an almost foolproof racket that produced thousands and thousands of dollars."

The organizer of the police burglary ring was a man known in the department as "a guy always out for a buck." In June, 1960, it is charged, he decided to try a supermarket safe theft. He "cased" the building while in uniform on a routine police patrol. He later lined up other department men he could trust.

Tools were obtained, lookout points assigned and other details attended to.

At the last minute the plan was changed. The organizer heard that another supermarket was collecting funds to cash checks over the Fourth of July week-end. The new target was a Safeway store in south Denver.

One of the crew was on duty. He took up a station in his patrol car across the street from the market. Another man in a civilian car stood guard down the street. Still another was assigned to watch at a window inside the store.

The two safecrackers and their inside lookout, all members of the police department, got into the store by ripping off an aluminum molding around the front door.

It took ninety minutes to open the safe. But inside the safe was $35,000 to $40,000 in cash and about $25,000 in checks.

Buildings Looted

In other descriptions of the ring's operations, investigators said Monday that frequently uniformed officers would find break-ins on routine patrols. In going through the buildings especially in suburban areas officers would loot the buildings and later turn in reports on discoveries of the break-ins.

The ring spread widely through the Denver Police Department, according to one accused member today.

Gilbert R. Schnabel, 40 years old, one of the twenty-two policemen charged, admitted his participation in the ring and said: "My only interest now is taking my punishment—getting it over with so I can get started again."

Fourteen Surrender

Schnabel, who joined the department June 6, 1950, was one of fourteen police officers who surrendered Saturday at the Colorado State House. The fourteen were suspended from duty, arrested and taken to City Jail for booking.

The question of why the department didn't keep a better check on its men was raised by the Governor. He said:

"As events develop command oficers will have to shoulder whatever responsibility is attributable to them for the unsavory activities that have transpired under their command which were known, or should have been known, by them."

Sixteen of the suspects identified Saturday were arrested and taken to an extraordinary night session of Denver District Court to make bond.

They included a police sergeant, thirteen patrolmen, an ex-patrolman and a civilian.

Still being sought this morning were two patrolmen, a technician assigned to the Police Department's Canine Corps and two ex-patrolmen.

Washington Has Quiet Weekend In Face Of Crime Wave Probe

WASHINGTON (Special) — The nation's capital had a quiet weekend from the crime standpoint, at least according to police preparing for a congressional investigation of their failure to get on top of an unprecedented rape-and-murder-studded wave of violence in Washington.

Police reports showed that over the weekend, there was only one rape and not more than a dozen armed and violent robberies. Only one of the robberies took place in the heart of the down-town business district at noon-time, and, the department boasted, nobody got murdered over the weekend.

On orders of Chairman John L. McMillan of the House District of Columbia Committee, a subcommittee headed by Rep. James C. Davis (D., Ga.) will open an investigation Wednesday of the reasons the Metropolitan Police Department has been unable to cope with the shocking outbreak of major crime in the capital.

The Florence Congressman ordered the investigation after the department had stood by helplessly while four unsolved murders piled up in six weeks, five women had been brutally raped in four days, and numerous vicious beatings had been reported in connection with unsolved robberies.

In response to the McMillan call for an investigation, Washington Police Chief Robert Murray added 30 detectives to his Homicide Squad, and doubled the working strength of his Robbery and Sex Squads. McMillan called on members of the Metropolitan Police Reserve to volunteer for uncompensated patrol duty.

Overall, about 300 additional police officers were on duty on Washington streets during the weekend. Except for armed robberies, and a few non-fatal shootings, things stayed in pretty good order during the period. But, just as the police were boasting proudly to newspapermen that all that automobile accident, was raped in her apartment by a man she described as a "flat-nosed Negro dressed in sports clothes. It was the sixth rape in Washington in seven days.

Anna, 24, first appeared on Ed's show when she was 14 . . . .

Item 2: Twenty minutes before noon Monday, a masked Negro believed to be Washington's very busy but very much unapprehended "butcher knife bandit," invaded a heart-of-downtown ladies' wear shop brandishing a 10-inch knife and made off with $240 stolen at knife - point from a cashier.

Meanwhile, Walter N. Trobriner, president of the District's Board of Commissioners, conceded in a television appearance that there is an "unsafe condition on our streets."

Tobriner, who until his recent appointment as a member of the three-man Board of District Commissioners had long been a member and for several years chairman of the District's Board of Education, had joined in urging McMillan to order a Congressional probe.

day party for "Carnival's" Anna Maria Alberghetti Monday at midnight at the Penthouse Club.

Lawyer Sought by FBI In 18-Month Hoax

By PHIL THOMAS
Star Staff Writer

The 18-month career of a Washington "lawyer" seemed over today as FBI field offices across the country were alerted to look for "L. A. Harris," a man with a score of aliases and a real name of Daniel Jackson Oliver Wendell Holmes Morgan.

The alert came after United States Commissioner Sam Wertleb issued a warrant yesterday charging "Harris" with fraud against the Government in knowingly and willingly making false statements in court.

An FBI spokesman who termed the Morgan case "fantastic," said the man had passed himself off as a lawyer here for more than a year, hoodwinking judges and other court officials, fellow lawyers and clients by the dozen.

Fails to Appear

Morgan's legal career here came to an abrupt halt Thursday when he failed to appear in court as attorney in a civil case before District Court Judge Edward M. Curran.

But even before then, the trap was closing. According to the FBI, the investigation revealed a man with a 28-year criminal record and a history of passing himself off as a lawyer in two other American cities.

When "Harris" showed up in Washington 18 months ago, another Washington lawyer, Julius Robertson, felt there was something familiar about the man's face.

He thought he had seen "Harris'" picture in Jet magazine. But Mr. Robertson dismissed the matter from his mind.

Picture Located

Then, several weeks ago, Harris became involved in an automobile accident. A suit was filed in Municipal court by a woman, Miss Susie Moore, who had been injured in the accident. She hired Mrs. Dovey Roundtree, law partner of Mr. Robertson, as her attorney.



DANIEL MORGAN
Sought by Authorities

Mr. Robertson recalled the magazine picture. He and Mrs.

FBI Presses Hunt In 18-Month Hoax

Continued From First Page

Roundtree went to Jet's local offices and in two issues found pictures of a man named Edward A. Simmons. He looked exactly like the "L. A. Harris" they knew.

According to the FBI, Edward A. Simmons, alias Morgan, was convicted in Federal District Court in Chicago in June, 1958, for contempt of court, arising from his impersonation of L. A. Simmons, an attorney then living in Detroit. The phony Simmons, it seems, had been practicing law in Chicago under his assumed name since 1949.

When a suspicious Federal judge launched an investigation of the imposter in 1955, the phony Simmons went to Los Angeles, where he again hung out his shingle as a lawyer.

It took the FBI from 1955 until 1957 to find him. They discovered him hiding in a clothes closet in the Los Angeles apartment of a woman who said she was his common law wife.

Served Time

Brought back to Chicago, he was sentenced to serve six months in the Federal penitentiary at Milans, Mich. After serving his time in jail, he dropped out of sight.

His subsequent arrival in Washington under the name of L. A. Harris closed a circle that started in 1912 when the real Lawrence Archie Harris was born here.

The real L. A. Harris attended Howard Law School and then went to Chicago, graduating from Northwestern University Law School in 1949.

In 1950 he met the phony Edward A. Simmons and shared office space with him for three months.

The real Mr. Harris then joined the Air Force as a legal officer rising to the rank of lieutenant colonel before he discharge in May, 1960.

Coincidentally, in 1955 (the same year Morgan went to California) the real L. A. Harris was stationed at Travis Air Force Base in California. That same year he applied by letter to the District Court here, seeking approval to practice in the court after his discharge. The application was approved.

But the real L. A. Harris said yesterday in a telephone interview that he later changed his mind, and went instead to practice law in Sacramento, Calif. He is still a lawyer in good standing there.

When Morgan—alias L. A. Harris—arrived here 18 months ago, he happened to chat one day with an assistant United States attorney here. Morgan told the prosecutor that he had practiced law in Chicago, but had more recently been "in the service."

Perfect Setup

On his arrival here, Morgan apparently had checked a legal yearbook listing practicing lawyers. He discovered that his former office mate of Chicago days, L. A. Harris, was in California, but had been admitted to practice before the District court.

Morgan became L. A. Harris, Washington legal counsel. He built up a reputation among fellow attorneys, judges and clients as a cantankerous but aggressive and often successful defense lawyer. He handled everything from complicated legal motions and lucrative civil damage cases to criminal matters up to and including first-degree murder cases. One judge, when asked his opinion of "Harris," described him as an "able lawyer."

He once came close to exposure. Last September 16 he appeared before Chief Municipal Judge John Lewis Smith, seeking to vacate a guilty verdict against two clients convicted by the judge of charges of committing an indecent act. Lawyer "Harris" charged that the attorney who defended the men at trial hadn't done a proper job.

Check Instituted

Judge Smith, annoyed, checked to see if "Harris" was registered to practice in Municipal Court as a lawyer. It turned out he wasn't.

After Judge Smith's inquiry, "Harris" on the same day was placed on oath in the Municipal Court clerk's office that he had never "been suspended or disbarred by any court."

The following month, Morgan hit the headlines while acting as defense attorney for two youths accused (and later convicted) of first-degree murder in the slaying of George H. (Cider George) Brown.

The attorney "fainted" in the middle of the trial, but returned to the courtroom after a recess of several days while he recovered. It was reported he might have suffered a "heart attack."

Last Thursday morning, someone telephoned the District Court clerk's office and explained that "Mr. Harris" wouldn't make it to court to finish the case before Judge Curran. Harris, the voice said, had "suffered a heart attack."

Sought in Car

Last night the FBI notified its 55 field offices that Daniel Jackson Oliver Wendel Holmes Morgan, 50, is somewhere, driving a white, four-door 1960 Chevrolet Corvair sedan bearing 1961 District license plates RW-932.

In his wake Morgan has left a legacy of criminal cases which may have to be retried, a problem now being mulled over by court officials.

Still further behind him is Morgan's record. It shows he was born in Birmingham, Ala.

His record reveals he received a suspended sentence of five months after conviction of grand larceny in Salt Lake City in 1928. It then traces him through convictions for armed robbery and carrying a concealed weapon. He served jail terms in California's San Quentin prison, gaining a reputation there, according to the FBI, as a "prison lawyer." He was locked up in Michigan prisons, too, and once spent a stretch in a California mental hospital.

13 1961

D. C.

VIRGINIA



By Charles Del Vecchio, Staff Photographer

Metropolitan Police Pvt. W. G. Passarge and his K-9 Corps dog Fritz, accompanied by Marvin Jones, Horace Madison and Robert Williams, follow the route in Rock Creek Park along which Hattie Jackson vanished Friday.

Police, Citizens Search For Vanished Child, 7

One hundred and sixty police and citizen volunteers searched the brush and rocks of Rock Creek Park today for a 7-year-old girl believed to have been abducted from a playground by a man.

Deputy Chief George R. Wallrodt, who headed an all-night search, indicated there may be a long and terious task ahead, but said: "We will stay with it until we find this child."

The girl is Hattie E. Jackson, daughter of Mr. and Mrs. Herbert Jackson, sr., of 5614 Eighth street N.W.

She disappeared from a playground adjoining the park at Sixteenth and Kennedy streets N.W. about 2 p.m. yesterday.

Her brother, Herbert, 10, told his parents and police that Hattie and some other colored children were playing at the grounds when a white man they did not know approached the group.

He asked some of the boys if they would like to go swimming, suggesting he would drive them to a spot two or three miles away. The boys refused and resumed a ballgame, while Hattie played in one of the swings.

Herbert said he and some other boys left the immediate area briefly, and when they returned both Hattie and the man were gone.

Herbert and his friends searched for awhile before the brother reported the incident to his parents. Mr. Jackson is a photostat operator at the Suitland (Md.) office of the Weather Bureau.

A clue that the little girl might have gone swimming near the playground was furnished by a Park policeman, Pvt. O. D. Sydnor.

He saw a man answering the description of the suspect watching several children, including a girl, swimming in the creek. The man was sitting nearby on a rock.

Pvt. Syndor said he told the children to leave because the creek was too polluted for safe swimming. Pvt. Syndor saw them beginning to leave, but did not remain until they had left the area.

Today Pvts. Syndor and Robert M. Turner probed the swimming spot with grappling hooks without finding anything.

The missing girl, a pupil at Truesdell Elementary School, was described as about 3 feet tall, weighing 45 pounds and wearing a white, long-sleeved blouse and brown and white checked shorts, as well as pink sandals and a blue ribbon in her hair.

Suspect Described

The suspected man was described as having brown hair, and wearing gray pants, a white shirt, black shoes and sun-glasses.

Beginning in the vicinity of the playground, which has been established as a search headquarters, police began fanning out in ever-widening circles over the rough park terrain. They used portable searchlights and walkie-talkies during the night.

Sixteen dogs of the canine corps, almost the entire squad, were pressed into service yesterday evening and night, being withdrawn today only to give them and their handlers a rest. The dogs were allowed to sniff a pair of pajamas Hattie had worn Thursday night.

Three of the dogs separately led their handlers from the playground along a footpath through the park woods to a little parking area on Beach drive. There the scent failed them, at about the point that would be the driver's position of a car parked there.

Search Widened

The search, began largely by sixth precinct police, later grew into a community affair as Park Police, and other Metropolitan police from the seventh, eighth, thirteenth, third and tenth precincts, all abutting on he park, joined in the hunt.

Several citizens also were on hand today as Deputy Chief Lorraine T. Johnson took over leadership of the search.

Chief Wallrodt said the men have "searched acres and acres" of the 1,752-acre park — from Blagden avenue all the way to the Zoo and to the Maryland line.

HATTIE E. JACKSON



HATTIE E. JACKSON

Hate 'Riders' Bomber Hits Washington

WASHINGTON (AP) — Two bombs were set off in downtown Washington Thursday night and Friday. An anonymous caller told police he was "going to strike a blow against integration" and there'd be more blasts.

No one was injured in the explosion Thursday night at Vermont Ave., and H St., N. W., and Friday at Massachusetts Ave., and 16th St., N. W.

The first explosion was in a garbage can about 11 p.m. and the second demolished an outdoor telephone booth at 8:10 a.m.

RECEIVED CALL

About two hours after the first blast, a police dispatcher said he received a phone call from a man who spoke with a Southern accent and said he had "five more bombs to go." The police officer said the man told him he came to Washington "Because that is where the Freedom Riders started. I am going to strike a blow against integration."

Apparently the reference was to racially mixed groups who have gone from Washington into the South to test segregation laws at bus stations and other transportation terminals.

A few minutes after the call to police, the FBI received a call from a man who said he would set off more explosions. The FBI gave no further details on its call.

Although neither explosion was close to any major government building, both were within a mile of the White House. White House police were ordered to be extra vigilant in watching for any suspicious persons around the executive mansion.



AP Wi

POLICE INSPECT BOMB SHATTERED BOOTH IN WASHINGTON
Two Blasts Set Off, Anonymous Caller Warns Of More To Come

2 Bombs Exploded In Capital City

Atlanta Daily World

By NORMAN G. CORNISH
(United Press International)

WASHINGTON (UPI) — Two homemade bombs exploded in downtown Washington late Thursday night and early Friday. Police promptly began searching for a mysterious telephone caller who said more had been planted to protest the "freedom riders."

Authorities also checked eyewitness reports that two groups of young white men were seen driving away from the scene shortly after the first bomb exploded about two blocks from the White House at 11 o'clock Thursday night.

"We are not without suspects," said Capt. John L. Sullivan, head of the District of Columbia special investigations squad.

POLICE EXTRA WATCHFUL

White House police were ordered to be extra watchful for any individuals approaching the executive mansion with packages. A spokesman said, however, that the White House force is constantly alert for such emergencies.

The first bomb exploded shortly before President Kennedy left the White House to drive to the Washington Airport to welcome home his wife from her Europen trip.

The second bomb exploded during the rush hour at 8:30 a. m., EDT, in an outdoor telephone booth at the busy intersection at 15th and Massachusetts Ave. Glass was blown across the street.

The first bomb had been planted in a trash can. It blew the can more than 100 feet. No one resported injured in either explosion. But physcians and hospitals were alerted to report anyone seeking treatment for puncture wounds on the chance that the bomber or bombers may have been injured.

HAD SOUTHERN ACCENT

Police received their first telephone warning at 12:41 a. m., EDT, about five minutes later the FBI received a call. Police said the caller spoke with a Southern accent and at times was difficult to understand. He told them the bombs, perhaps as many as six, had been planted because "Washington is place where the freedom riders began."

Further fears were aroused by the finding of a live hand grenade in a section of the city some distance from the explosions. It was turned over to a policeman by a Negro who said he saw it lying in the street. An Army demolition defused it.

Capt. Sullivan said there was no question but that anyone in the telephone booth would have been killed.

These things are similar to a hand grenade and cold inflict fatal wounds or cripple you for life," he said

SEPTEMBER NOV.

13 1961 D.C.

Accused 'Lawyer' Charges Bias to the Entire District Bench

Real L. A. Harris to testify in fake lawyer case here

By John P. MacKenzie
Staff Reporter

Daniel Morgan demanded yesterday that all District Court's judges disqualify themselves from sitting in the case in which he is accused of fraudulently practicing law before them.

He handed Chief Judge David A. Pine a handwritten motion charging that Judge Pine and his colleagues had voiced collectively the opinion that he is guilty. The motion was signed "L. A. Harris," the name Morgan is charged with adopting in court appearances as a criminal lawyer.

The motion charged that the entire court was "afflicted with personal bias and prejudice against the defendant" and the judges were personally familiar with the facts of the case. Besides, the motion declared, the entire bench will be summoned by the defense as witnesses.

In a rapid cross-fire of motions and pleading at his formal arraignment, Morgan also:

• Announced that he would act as his own attorney at his trial on four counts of falsely stating he was L. A. Harris, a duly licensed lawyer who never practiced here.

• Said he would "stand mute" and decline to plead guilty or not guilty to the indictment. The Judge entered an automatic plea of not guilty.

• Labeled as "unreasonable" the $40,000 bond under which he has been held since his arrest July 6 in San Francisco. The Judge refused to lower the amount.

• Asked for, and was granted, 10 days to respond to a Government motion to have him examined by psychiatrists at St. Elizabeth Hospital.

Morgan, 50, has been named by the FBI as the man who represented more than two dozen defendants, including four men condemned to death, in the 14 months between his quiet appearance in the District's criminal courts and his sudden disappearance June 22 amid reports that he was an ex-convict with a police record dating back to 1928.

The defendant asked earlier for time to negotiate with an attorney of his choice, but he told Judge Pine yesterday, "I'm prepared to represent myself."

After theh plea was entered, Assistant United States Attorney Frederick G. Smithson filed a motion to commit Morgan for 90-day mental observation, a common practice in cases where the defendant's mental condition may be at issue.

Smithson said that as far back as 1932, Morgan—then imprisoned for armed robbery under the name of Robert Collins—was diagnosed as having a "psychopathic-paranoid trend" in a California prison hospital.

In 1944, under the name of James Campbell—said by Smithson to be one of 37 aliases—Morgan was jailed for carrying a concealed weapon, admitted to a Michigan prison hospital as an amnesia victim. A 1948 psychiatric report found him to be "an inadequate personality" with "paranoid traits of a litigious nature," Smithson said.

Morgan complained that his cause was prejudiced by official pronouncements by judges that the Courts had been a "victim" of fraud and that something should be done "to prevent a recurrence of the Harris incident."

When the charges against Morgan were aired Judged Pine asked the Court's admissions committee to investigate ways to plug "loopholes" in admissions procedures. He suggested a system of fingerprinting and identification cards for attorneys and announced, "we want to make sure there is no recurrence."

Morgan, who told arresting officers that he was John D. Clark and had "never been to Washington," stated in his motion that he "personally knows every sitting judge" and that all the judges knew him. He demanded that a special judge be assigned to hear his case or that the case be transferred to New York "or to some other competent jurisdiction."

The defendant insisted that the charges, which carry a maximum penalty of five years in jail and $10,000 fine on each count, did not justify keeping him in jail under $40,000 bond until his Sept. 25 trial.

Smithson countered that the Government had to make "some considerable effort to find him the last time" and that agents found that he had "sought a new existence" through false identification papers. Smithson said he feared Morgan might flee the jurisdiction or "might possibly leave the country" if the bond were lowered.

Judge Pine found the bond "reasonable" and rejected Morgan's request to lower it to $1000.

WASHINGTON RIS of Sacramento continued, "He must have heard me say that I would never practice in D.C."

He indicated further that Morgan's efforts to disqualify all the local judges and his effort to change the case to New York City would "not be honored."

Asked what he thought of the attempts to test Morgan for insanity, he felt the judges were trying to for stall any later efforts by Morgan to use a plea for insanity.

The AFRO later learned from other sources that the District attorney's office has home 21 counts against Morgan, of which some 16 will probably be dismissed with the five remaining charges based on fraud.

Atty, L. Archie Harris, the man Morgan alledgedly posed as, is a highly successful lawyer in Sacramento.

He was an army officer during War II later switching to the air force working in the judge advocate's of- He has the rank of major and is still active with the air force reserves.

He is married and has a son and a daughter.

In an exclusive interview with the Washington AFRO-AMERICAN, the real L. Archie Harris, attorney-at-law for the state of California and chief witness for the prosecution in the case of the U.S. vs. Daniel Jackson Oliver Wendell Holmes Morgan, said he had been subpoenaed from Sacramento to testify before the grand jury against the defendant for whom the case is named, for allegedly posing as a lawyer named L. A. Harris.

"I was surprised and certainly disgusted when I learned of his alleged impersonation," said the true L. Archie Harris, who has been an accredited member of the California Bar since 1956.

A graduate of the Northwestern Law School with a year and a half attendance at the Howard University School of Law, he admitted having rented space in Morgan's office in Chicago for a period of approximately five months.

At that time, the certificate on the wall of Morgan's office read "E. A. Simmons."

* * *

IN ANSWER to the query as to whether Morgan's conduct ever lent any doubt to his masquerade, he said, "I never suspected he was not a lawyer. While I was intent on a solo practice and was merely renting space in his office, we did have one murder case together.

Once again, Morgan, alias E. A. Simmons alias L. A. Harris carved a successful niche in his "legal" career because the man was acquitted.

• • •

ATTY. L. A. ARCHER HAR-

Morgan Convicted Of Fraud

Bogus Attorney Guilty of 14 Counts In Impersonation

By John P. MacKenzie
Staff Reporter

Daniel Morgan, who as L. A. Harris built a reputation as one of the city's most aggressive criminal lawyers, was convicted yesterday of posing as an attorney.

The verdict came after 2½ hours of deliberation on 14 counts of impersonation, forgery, perjury, fraud and false pretenses. The defendant, who acted as his own co-counsel, displayed no reaction when he was found guilty on all counts.

Immediately, Morgan, who claimed he was only defending the rights of accused persons, said there was one privilege he would just as soon waive—a probation officer investigation which Judge John D. Martin Sr. ordered prior to sentencing Friday.

Pictures on Page A3.

Criminal Record

The probation report would include a criminal record which was kept out of the 2-week trial because Morgan did not testify. The record includes a 1957 conviction for impersonating another attorney in Chicago and convictions for robbery, housebreaking and vagrancy during Morgan's pre-law days.

But Judge Martin, who was loaned from the Sixth Circuit Court of Appeals to preside when Morgan moved successfully to disqualify the entire District Court bench, said he needed the report to help him impose punishment "reasonably and humanely."

Morgan insisted he was not concerned whether the punishment was 110 years—the maximum jail term, which Judge Martin has asserted he will not impose—or one day. He said he will apepal in any event.

Played to the Hilt

Morgan, who appeared from nowhere in April, 1960, and set up offices at 2514 14th st. nw., won praise from the Judge for familiarity with court procedures and the backhanded compliment from the prosecution that he played his imposter role to the hilt.

The cases he handled were among the most difficult and desperate on District Court's criminal calendar. Four former clients, three of whom testified they were pleased with his work, are under death sentence. Morgan's ability to win legal business, if not acquittals, stirred the admiration of accredited lawyers.

But the 14-month pose, based on the credentials of a former Chicago associate, ended abruptly when Morgan fled the city amid talk that he resembled a convict portrayed in a national magazine. The FBI arrested him in San Francisco, where they found him with the last of two dozen assumed identities.

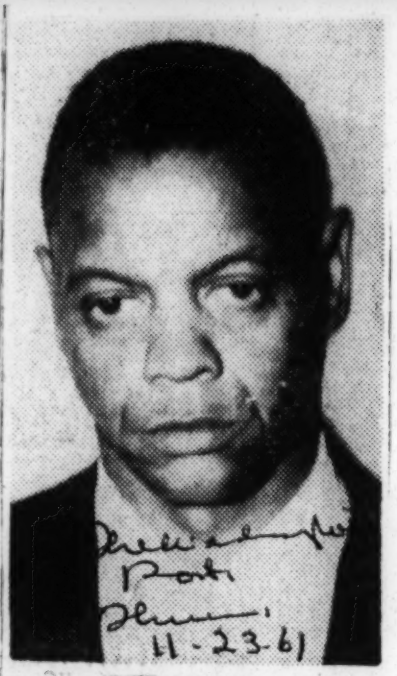
Some New Trials

Several of the "Harris" cases have required new trials on grounds that the defendants lacked counsel. Ironically, in one of the cases in the indictment, the Government later opposed a prisoners' complaint, stating he had the services of a vigorous, competent advocate.

Morgan put his own stamp on the trial with heated objections at every stage of the prosecution's case. When put to his defense, he rested on his professional reputation and a suggestion that he really was L. A. Harris.

The real Lawrence Archie Hraris testified he knew the defendant 12 years ago in Chicago as E. A. Simmons.

Harris, 48-year-old Howard University and Northwestern Law School graduate, explained that he gained admission in absentia to the



DANIEL MORGAN
. . . guilty on all counts

District Bar in 1955 simply because he "always wanted" that status. He moved to Sacramento and never practiced here.

How Morgan conceived the idea of assuming the identity of Harris was not made clear. But Assistant United States Attorney Luke C. Moore said the scheme dated from 1958 when Morgan obtained an Illinois driver's license in the name of Harris. That license was used as a basis for a District permit in 1960, the evidence showed.

Judge Martin, 78-year-old moccasin-wearing jurist whose comments from the bench provoked laughter in the midst of the hottest debate, thanked the jury for its service. He discharged the panel, but not before stepping down to shake each juror's hand.

Morgan was assisted by King David, a licensed barrister who confided he was "going to school" just watching his client. Serving with Moore in the prosecution was Principal Assistant United States Attorney Charles T. Duncan.

13 1961

2 BOMBS JAR WASHINGTON; MORE HUNTED

WASHINGTON, June 16 (UPI) —Two homemade bombs exploded in downtown Washington late last night and early today. Police promptly began searching for a mysterious telephone caller who said more had been planted to protest the "freedom riders."

Authorities also checked reports that two groups of young white men were seen driving away from the scene shortly after the first bomb exploded about two blocks from the White House at 11 p. m.

"We are not without suspects," said Capt. John L. Sullivan, head of the District of Columbia special investigations squad.

Alert White House

White House police were ordered to be extra watchful for any individuals approaching the executive mansion with packages. A spokesman said, however, that the White House force is constantly alert for such emergencies.

The first bomb exploded shortly before President Kennedy left the White House to drive to the Washington airport to welcome home his wife from her European trip.

The second bomb exploded during the rush hour at 8:30 a. m. in an outdoor telephone booth at a busy intersection. Glass was blown across the street.

The first bomb had been planted in a trash can. It blew the can apart and fragments flew more than 100 feet. No one was reported injured in either explosion. But physicians and hospitals were alerted to report anyone seeking treatment for puncture wounds on the chance that the bomber or bombers may have been injured.

Police received their first telephone warning at 12:41 a. m. About five minutes later the Federal Bureau of Investigation received a call. Police said the caller spoke with a southern accent and at times was difficult to understand.

Hand Grenade Found

He told them the bombs, perhaps as many as six, had been planted because "Washington is the place where the 'freedom riders' began."

Further fears were aroused by the discovery of a live hand grenade in a section of the city some distance from the explosions. It was turned over to a policeman by a Negro who said he saw it lying in the street. An army demolition team defused it.

The bombs apparently were encased in galvanized pipe. Police said the second appeared to have been about 18 inches long and from 2 to 3 inches in diameter. They considered it miraculous that no one had been killed in the explosions.

Sullivan said there was no question but that anyone in the telephone booth would have been killed.

FBI Offers Aid

"These things are similar to a hand grenade and could inflict fatal wounds or cripple you for life," he said.

The FBI offered local police the full facilities of its laboratories and identification services.

Riders' Foes Set Off 2 Bombs

WASHINGTON, June 16 (UPI). —Two homemade bombs exploded in downtown Washington late Thursday night and early Friday. Police promptly began searching for a mysterious telephone caller who said more bombs had been planted to protest the "freedom riders."

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D.C.

BOMBING

13 1961

D.C. (NARCOTICS)

Suspect With $50,000 In Raw Heroin Nabbed

The Afro-American Baltimore, Md.

Caught as he ran for cab in D. C.

Sat. 4-8-61

WASHINGTON

James C. Irby, 36, of 1700 block Corcoran St., NW, was picked up at Washington National Airport Friday with allegedly between $50,000 and $75,000 raw hemin in his possession.

He was taken to Alexandria, Va., where he was arraigned before U.S. Commission Stanley King on a violation of the Harrison Act. Bail was set at $25,000.

Harvey B. Cohen, assistant U.S. Attorney, said Irby, who was carrying 10 ounces of the "stuff" in one-ounce packages, was convicted on a Harrison Act violation in 1945.

* * *

FEDERAL NARCOTICS agents, in cooperation with Baltimore and Washington, seized Irby (sometime known as Cue Ball) as he rushed to get a taxi after getting off a plane from New York.

The arrest climaxed a three - month investigation and stakeout during which time Irby had been under constant surveillance.

Leroy Morrison, head of the District bureau field office, said that the suspect's pattern had varied while he was being watched by agents. He said Irby had made several "decoy trips" on which he carried no narcotics.

* * *

IRVIN GREENFIELD, head of the Federal Narcotics Bureau here, said that agents had watched the airport since Irby's wife drove him there that morning.

The arrest of Irby, he added, probably will "break the back" of heroin peddling in the Baltimore - Washington area for a while.

Boy Faces Hearing In Negro's Drowning

The Times-Union Bureau

OCALA, March 6 — A hearing will be scheduled later this week for a white boy, 10, accused of pushing a Negro boy, Ira Lee Williamson, 11, into a limerock pit where he drowned Saturday.

The boy will appear before Junile Court Judge Lewis O. Myers Jr.

It was reported that the white boy threw Williamson a rope, but he was unable to reach it and he went under. The white boy then ran home.

Ocala Boy, 10, Is Accused In Negro Lad's Drowning

OCALA, March 5 (UPI) — A 10-year-old white boy was in the custody of juvenile court authorities today after allegedly causing an 11-year-old Negro boy to drown by pushing him into a water-filled rockpit after the Negro child had said he could not swim.

Marion County Juvenile Court officer Charles Tuzzeo withheld the name of the white boy because of his age. He said the drowning victim was Ira Lee Williams of Ocala.

Tuzzeo said the Negro boy had been fishing Saturday at the rockpit with some companions. He said the white boy asked to borrow the lad's fishing pole and young Williams complied.

Tuzzeo quoted the other boys as saying the white boy returned the fishing pole after a few minutes, asked young Williams, "Can you swim?" and when Williams said he could not, playfully pushed him into the water.

Tuzzeo said the white boy threw the child a rope but the victim cou'd not reach it. He said the white boy told him he became frightened and ran.

Other members of the fishing party reported the drowning to the sheriff's office. The boy's body was recovered about an hour after he had gone under.

"Our investigation is continuing," Tuzzeo said, "but the way it looks now we think there was no malice in what the white boy did."

Clergyman, Teachers Among 20 Arrested As Homosexuals

PANAMA CITY (AP) — Three churchmen and two school teachers are among 20 men arrested on homosexual charges in the Panama City area, officers said Thursday.

Sheriff Charley Abbott and Police Chief Tom Mcauley said the 20 were arrested during the past week. They added that an investigation into activities of a widespread perversion ring is continuing and more arrests are expected.

The investigation so far, the officers said, showed at least 50 children were involved, either as participants or as victims. Ages of the children ranged down to 3 years.

The sheriff and police chief said those arrested included:

Father Leonard L. Prusinski, 51, pastor of the St. John's Roman Catholic Church; Claude Lee Clark, 63, Sunday School superintendent of the Church of Latter Day Saints; Emory Donald Evans, Minister of Music for the Seminole Baptist Church of Tallahassee; Dale Jennings Magee, 26, a teacher in an elementary school at Tyndall Air Force Base; and Bob Cherry, 30, a teacher in the city school system.

The officers said Cherry was booked on a felony charge of molesting minor children and was held for circuit court action.

The others, they said, were charged with lewd, lascivious and unnatural sex behavior and will face trial in city court Friday.

Evans, whose home is in Tallahassee, was arrested in a Panama City Motel, the officers said.

Suspect Held In Lawyer's Auto Blast

MIAMI, Fla. (AP) — A Lebanese immigrant was charged with assault with intent to commit murder of a former Teamsters Union attorney.

The charge against Morris Koltunovsky, 47, for the dynamite bombing of the car of Hyman Fischbach, 53, was filed by the office of State Atty. Richard Gerstein.

Koltunovsky surrendered himself to police Wednesday and was released under $10,000 bond. At a hearing he denied he planted 10 sticks of dynamite in Fischbach's car.

The blast went off when Fischbach turned on the ignition Tuesday morning at his home in South Miami. He suffered injuries to his right ankle.

The attorney once was indicted along with James Hoffa, president of the Teamsters Union, in an alleged bribe attempt. The bribery charges were dropped.

Detective Louis Labbe said Fischbach named Koltunovsky as a logical suspect. He said Koltunovsky had threatened him over the telephone. Fischbach had represented Koltunovsky's son in a legal action which included a lunacy proceeding against the father, he said.

Detective's Office Is Bombed

The Miami office of a private investigator and onetime Castro agent was firebombed Thursday by Cuban revolutionaries protesting his formation "of an army which he will send to slaughter."

Object of the Molotov cocktail attack was the office of Vincent Hanard, Miami and Hollywood private detective, at 742 NW 12th Ave., which also houses offices for bail bondsman Ed Hoskins.

Four firebombs hurled at the front and rear of the tiny one-story office threw up high flames but failed to break the plate glass windows.

Damage was negligible except for one cracked and blackened window.

The anti-Castro revolutionaries told The Herald Hanard was financing the "Freedom Fighters of the Americas," made up entirely of American personnel, "and he'll send them off to meet the same fate as McNair and others."

Angus McNair Jr., 25-year-old Coral Gables resident was captured by Castro forces last March in Cuba after he and four Cubans attempted a landing on the island. He was executed April 18.

Hanard, who until recently was regstered with the U.S. State Department as a Castro agent in this country, has admitted he is forming a group to send to Cuba.

13 1961

3 Negroes Sought In $1,285 Checks Theft at Palatka

The Times-Union Bureau

PALATKA, April 24—Police here today sought three Negroes in the cashing of and forgery of $1,285 in checks stolen from the office of a concrete firm over the weekend.

Police Chief Zack Hunsuckle said blank checks were taken from the Palatka Concrete Co., filled in with a check writer and cashed at eight area business firms.

Police were notified after Ralph Tavel, operator of a men's store became suspicious and called the concrete firm. Meanwhile, the Negroes slipped away.

Policeman Takes Fifth In Race Probe

WASHINGTON (AP)—A former Miami policeman invoked the Fifth Amendment Friday when Senate investigators sought to link him with clandestine race wire operations in Florida.

The witness, Elam (Bill) Caudell, 41, was called before the Senate Investigations subcommittee which Thursday heard him described as a top figure in the flashing of Florida racetrack information to bookmakers, in violation of a state law.

"I refuse to answer on the grounds it might tend to incriminate me," Caudell responded to questions about gambling activities.

IN CONTEMPT

When Caudell failed to produce subpoenaed books, records and financial data, Chairman John L. McClellan, D-Ark., told him: "You may be in contempt."

The ex-policeman's attorney, with whom he had frequent whispered conferences, told the subcommittee that Caudell is due to go on trial in Miami Sept. 12 on a charge of maintaining a gambling room and destroying telephone equipment.

Caudell conceded he had a record of 18 or 19 arrests but said he had been convicted only once and that conviction later was reversed.

Under questioning by subcommittee counsel Jerome S. Adlerman, Caudell refused to say whether he was engaged in race wire enterprises with Milton (Woody) Ruthstein, owner of a Chicago wire service.

BANKROLLER

He denied, however, that Ruthstein ever had acted as his "bankroller."

When telephone records of eight calls made by Caudell in Miami to Ruthstein in Chicago were produced, McClellan said most of the calls lasted less than a minute and he suggested that would be just about long enough to report a horse race result.

"It would be possible, I imagine," Caudell said.

Caudell said he had called Ruthstein to ask about the purchase of a plastic fiber gun for spraying plastic. He said Ruthstein was the only man he knew in Chicago.

Adlerman told the subcommittee that Caudell at the time was operating a wire service which went under the name of Larson's Plastic Coating Co.

Caudell testified after Arthur Gilbert, a Federal Communications Commission radio engineer, told of taking part in a raid on a Hialeah address in 1958. Gilbert said the raiders found Caudell sitting on the floor near an electronic device which had been smashed with a croquet mallet.

FLORIDA

NOVEMBER

Paralyzed Man Ruled Guilty -- Jury Out Three Minutes

By C. G. BERNING
Herald Staff Writer

Permanently paralyzed Jack Lee Johnson was found guilty of armed robbery in three minutes flat Thursday after lying, pajama clad, on a stretcher all day before a Criminal Court jury.

The verdict scuttled his $1,000,000 claim, filed with the Metro Commission last August after he was placed in a Goulds nursing home as a public welfare patient. He claimed he was shot by mistake by a Metro detective.

Paralyzed from the waist down by the second of twin shotgun blasts during a liquor store robbery, the 26-year-old Hialeah Negro told the jury he entered the store only to get a pack of cigarets from a vending machine.

The store owner, Bernard Becker, and Harold Stoller testified that they were the only two persons in the store — at 915 NW Seventh Ave., at 4:30 p.m. Oct. 22, 1960 — when three Negro men walked in. They ordered Becker to open the cash register. One of them, Marvin Lowe, 25, of 1441 NW 71st St., pointed a .22 caliber gun at Becker, the witnesses told the jury.

Stoller, a Metro detective at the time, was hidden behind a curtained doorway with a shotgun. He said he had received a telephone tip at his home that robbers were on their way from a bar to rob Becker's liquor store.

He testified that he saw Johnson and Lowe scoop money from the cash register and stuff it into a paper bag held by the third man. Becker said the robbers took $70 and the third man ran out the door as Stoller yelled, "Halt, police." The third man has not been caught.

Stoller said he shot two of the fleeing robbers just inside the doorway. Lowe was killed with the first shot and Johnson's spine caught the second blast.

Stoller left Metro last April to become a private detective.

Aram Goshgarian and Al Sepe, assistant state attorneys, told the jury they would recommend mercy when Judge Jack A. Falk pronounces sentence Tuesday, Nov. 14.

The six person jury included a Negro man and a white woman.



—Herald Staff Photo by WAYNE WARRE

He Went to Court in Stretcher
... Jack Johnson to get "mercy"

Bomb in Auto Injures Attorney at Miami

MIAMI, March 28 (AP)—A former Teamster Union attorney was injured today when he turned the ignition key in his automobile and set off a dynamite bomb.

The blast smashed the 1959 Cadillac of Hyman Fischback, 53, and blew all the front windows out of his home.

Fischbach, who once was indicted with Teamster boss James Hoffa for allegedly trying to bribe a Senate committee investigator, was taken to South Miami Hospital with a shattered ankle.

Hospital officials refused to say what his injuries were and a detective was posted at the door of his room.

Metro detectives picked up a middle-aged man in connection with the bombing but refused to identify him.

Raymond Poore, hospital administrator, said Fischbach refused to talk until he had seen his own physician and his attorney. Poore added that Fischbach was not seriously injured.

The explosion blew the hood of the car 50 feet and flung other parts 150 feet. A decorative concrete grille enclosing a patio at the $40,000 home was damaged. A plate-glass front door and all the front windows were blown out.

Charles Zmuda, head of the metropolitan crime lab, said at least 10 sticks of dynamite were in the bomb.

Mrs. Fischbach and the couple's two children, Lynn, 4, and Debbie, 3, were inside the house and were not injured.

Fischbach was an investigator for congressional committees and later was accused with Hoffa in 1957. The government charged Hoffa and Fischbach conspired to bribe a Senate committee investigator, John Cye Cheasty, to feed secret committee information to the Teamsters Union. Fischbach denied the charges.

Hoffa was tried and acquitted and the government dropped charges against Fischbach in November 1957. A spokesman for the Teamsters said Fischbach had not been an attorney for the union since he and Hoffa were indicted.



—AP Wirephoto

A Policeman Examines Fischbach's Blast-Damaged Car

Man Charged With Miami Car Bombing

MIAMI, March 29 (UPI) — Morris Koltunovsky, 47, was charged with assault with intent to murder today in the Tuesday bombing of the car of attorney Hyman Fischbach.

Koltunovsky, a Lebanon immigrant who runs an auto generator business, was released under $10,000 bond. He denied the charge.

Fischbach, formerly an attorney for the Teamsters Union, suffered a foot injury in the bombing. When he turned on the ignition key of his Cadillac, 10 sticks of dynamite planted in the engine blew the front end of the car apart.

Fischbach, 53, said at the time he did not think his work had anything to do with the bombing. He was the attorney in several law suits brought against Koltunovsky.

Episcopalians ask abolition of chair, noose

BY GEORGE W. CORNELL
Associated Press religion editor

NEW YORK, March 20— (AP) —Bishops of the Episcopal Church today issued a report condemning capital punishment, and criticizing FBI Director J. Edgar Hoover for supporting it.

The study document was described as the first of its kind ever issued by an American church.

IT SAYS the death penalty "brutalizes society," debases law enforcement, fails to deter crime, even stimulates crime in some cases, and is "contrary to the will of God."

The 30-page report raps Hoover for dismissing opponents of capital punishment as sheltered people unaware of the horrors committed by criminals, and adds:

"With the aura of authority which surrounds such a public figure, his unsupported assertion is devastating against a more enlightened penology, and in the ...es of politically minded legislators outweighs all the careful statistical studies that have been made of the question."

DISPUTING CHARGES of "pacifism and . . . sentimentalism" frequently hurled against opponents of capital punishment, the report said that in actuality, those favoring the practice base their position on vengeful "sentimentalism."

"The overwhelming preponderance of testimony that meets any criteria of scientific accuracy shows that capital punishment is neither a deterrent to crime nor a preventive," the report says.

"The proponents of capital punishment are guilty of a far more sentimental cast of mind than the most starry-eyed advocate of its abolition. This is because capital punishment fails in its objectives as a deterrent and brutalizes the state and citizenry which resort to it.

"This is sentimentalism, not starry-eyed, but grisly and vengeful; not sickeningly sweet, but vindicative and brutal."

CITING THEOLOGICAL arguments as well as statistical findings, the report says capital punishment leads to uneven justice by police, district attorneys and courts.

Studies show that the death penalty is "paid disproportionately" by the underprivileged, poorly educated, minority groups and the mentally deficient, while defendants of "wealth and position" in similar cases are rarely executed.

FBI Pamphlets Sent By Request

Official Says MSCW Girl Asked For Brochures On Communism

The FBI was answering a college freshman's request when it shipped seven boxes of anti-communist pamphlets to Miss Ann Brock at Mississippi State College for Women, an FBI spokesman said yesterday.

Clarence M. Kelley, special agent in charge of the Memphis FBI Office, explained his agency's position after an article Thursday in The Commercial Appeal reported that the brown-eyed freshman had stored the material in the ironing room in Callaway Hall.

She said there was no space for the 304 pounds of literature in her dormitory room on the Columbus, Miss., campus, but that it was rapidly being distributed.

Written By Student

An MSCW journalism department spokesman said yesterday the initial article was written by a student who "inadvertently omitted the fact that the girl (Miss Brock) did request the material."

Mr. Kelley reported that Miss Brock, whose home is McComb, Miss., wrote a letter in January to J. Edgar Hoover, FBI director in Washington, saying in part:

"As an alarmed American student and citizen, I am deeply concerned about our present situation. Although we are a small group of girls at MSCW, we are starting to write letters, talk to friends, and generally alert the public to what is taking place around us. We hope that it is not too late to save this country from strangling forces of advancing communism.

"We would like to have your opinion of the best steps for us to take to combat communistic forces at work around us. Please send us any and all information, pamphlets, brochures, etc., that we can distribute to each of the 1,500 students here. We feel that informed and inspired young people are about the only hope."

Hoover's Response

Mr. Hoover responded on Jan. 30:

"Certainly you and your group have taken a very affirmative stand in combating the menace of communism. One of the best ways to fight this sinister conspiracy is to learn what communism is as well as its tactics and objectives.

"In accordance with your request, I am forwarding to you, under separate cover, 1,500 copies of a poster we have prepared and entitled 'What You Can Do to Fight Communism,' together with some additional material for distribution in the manner you have indicated."

The pamphlets sent with the poster are "One Nation's Response to Communism," "What You Can Do to Fight Communism," "Communist Target — Youth" and "An Analysis of the 17th National Convention of the Communist Party, U. S. A." (Mr. Hoover's testimony Jan. 17, 1960, to the Senate Internal Security Subcommittee).

Robert Kennedy Asks New Laws To Fight Crime

Bids Congress Give Him 8 Bills

By Don Irwin

WASHINGTON, Apr. 6.—Attorney General Robert F. Kennedy asked Congress today to tighten the screws on racketeers with eight new laws to curb interstate crime. He said they "could deal a heavy blow to racketeering"—if they have public support and vigorous enforcement.

The anti-crime package and a projected new program to fight juvenile delinquency took top billing at a forty-minute televised session with close to 100 newsmen, who sandwiched themselves into Mr. Kennedy's king-sized office for their first collective conference with him since he was sworn in on Jan. 21.

The President's thirty-five-year-old brother faced the stream of questions with skill and occasional humor and in the process upheld the family reputation for fielding fast ones.

The Anti-Crime Package

The anti-crime package is basically designed to get at the means of livelihood—transportation, communications, equipment, weapons and "protection"—of big-time racketeers and their henchmen. Three of its eight component bills are products of the new regime in the Justice Department; two are revised versions of measures unsuccessfully urged by former Attorney General William P. Rogers, and the other three are re-introductions of Rogers proposals.

Despite his predecessor's bad luck, the new Attorney General said he "hopes" and "expects" there will be favorable action. He said he based those hopes on talks with members of Congress who are "equally concerned" about the ramifications of interstate crime.

Mr. Kennedy emphasized his own concern, which has its roots in his past experience as an Assistant United States Attorney in New York and three years of service as chief counsel to the old Senate Rackets Committee.

"In the past two and a half months, I have become even more concerned about how far racketeering has infiltrated our society," he said, declaring that racketeers have begun to "infect legitimate business" even as they have tightened their hold in outright criminal ventures.

While local authorities have traditional jurisdiction against rackets, he said, they have been "corrupted" in some areas. In others, he added, the rackets "have outgrown the authorities" because they have become "too widespread, too well organized and too rich."

Today's proposals were sent to Congress, Mr. Kennedy said, in a "firm belief that new laws are needed to give the F. B. I. increased jurisdiction to assist local authorities in the common battle against the rackets." He made it clear that the size of the first anti-crime package doesn't preclude submission of additional proposals later.

He said the program "could deal a heavy blow to racketeering," but he emphasized the word "could." "Laws are only as effective as their enforcement, which in turn depends on the interest of the people in their government," the Attorney General observed.

He reported "progress" in new Justice Department efforts to pool criminal information among law-enforcement agencies, but he warned that overnight results aren't in the cards. Success depends, he said, "on what the record shows three, four or five years from now—not on what we say today."

'Terribly Concerned'

Mr. Kennedy said he was "terribly concerned" by what he had discovered about the scope of juvenile delinquency since he took over the Justice Department. Urging that the problem receive "priority attention from all segments of society," he reported that he had named David L. Hackett, of Dedham, Mass., to co-ordinate Justice Department anti-delinquency programs.

Mr. Kennedy said he and Mr. Hackett had been working with the departments of Labor and Health, Education and Welfare to develop more effective Federal programs. He said recommendations will soon be made to the President.

Mr. Kennedy also reported the appointement of a committee to study the "unique problems" which defendants without substantial means face in Federal criminal courts. The six-member group will be headed by Francis A. Allen, a Chicago University law professor.

Kennedy's Answers

Mr. Kennedy's answers to the fast-flying questions that followed the end of his prepared statement included the following comments:

1. That "corruption" at the management level in business is "extremely serious" and "should concern every one of us." He indorsed a suggestion put forward by officials of the Westinghouse Corp. (one of twenty-nine electrical manufacturers convicted in January of price-rigging) that the electrical manufacturers convicted in January of price-rigging) that the electrical industry adopt a "code of ethics." He suggested that the National Association of Manufacturers and the United States Chamber of Commerce could profitably do the same. He said he was "impressed" by the "responsible" Westinghouse attitude and found it "far different" from that of Ralph J. Cordiner, board chairman of the General Electric Corp., another defendant in the price-fixing case. Mr. Cordinor blamed subordinate officials for G. E.'s involvement.

2. That he "would have used different steps" had he been consulted about the deportation of Carlos Marcello, a reputed bgishot gambler. In an action protested by the American Civil Liberties Union, the Immigration Service whisked Marcello from New Orleans to Guatemala on Tuesday without notice or a chance to see his family. Mr. Kennedy said he was awaiting an Immigration Service report, but was meanwhile "very happy that Carlos Marcello is no longer with us."

3. That the question of seeking legislative authority for the Justice Department to file school desegregation suits is "under study." Meanwhile, he promised that the department will press vigorously on with its powers to enforce Negro voting rights in court.

Weighs Labor Law

4. That the department is considering a request to Congress for amendment to the labor reform law which would prohibit management officials from holding their jobs after conviction for any of several serious crimes. These curbs now apply to union officers.

5. That he saw no danger of conflict of interest in the retention of Clark Clifford, an Administration adviser, as an attorney to handle damage claims for the General Electric Co. He said Mr. Clifford will be treated "like any other lawyer."

Mr. Kennedy skillfully sidestepped answers on a number of hooked questions dealing with pending cases. He wouldn't confirm rumors his department has received new data on the activities of Bernard Goldfine, the gift-giving Boston former textile executive, but indicated the case could be among "matters under study." He ducked specifics when asked about the handling of a new case against his old opponent, James R. Hoffa, president of the Teamsters Union.

Bobby's First

Robert F. Kennedy, in his initial press conference as Attorney General:

Called for eight new laws to curb interstate crime.

Termed the Right-wing John Birch Society "ridiculous."

Demanded "priority attention" for problems of juvenile delinquency.

Praised Westinghouse Corp. proposal for industry code of ethics.

Questioned method used to deport gambler Carlos Marcello.

Promised to enforce Negro voting rights.

Reported consideration of law to oust management officials after serious convictions.

Saw no reason why Clark Clifford, Administration adviser, shouldn't work for General Electric.

10 Southern States Form Security Unit

The Courier-Journal
P. 1 Wed 11-22-61

To Work With F.B.I. On Subversion Cases; Coordinated Check On U. S. Reds Indicated

Louisville Ky.

By The Associated Press

Atlanta, Nov. 21.—Georgia Governor Ernest Vandiver announced Tuesday the formation of a 10-state organization to work with the F.B.I. in security matters.

Lt. H. A. Poole, a Georgia Bureau of Investigation official, was elected first president of the organization at a meeting in Miami of the Southern Association of Intelligence Security Agents.

"Our objective is to keep peace officers of the South abreast of the latest techniques in handling criminal and subversive matters," Poole said.

"We will work closely with the F.B.I. and other law-enforcement agencies. We certainly are in no way competitive with the federal agency as most of our members, including myself, are graduates of the F.B.I. National Academy."

Poole added that the organization "doesn't plan witch-hunts or anything of that kind." He added that State patrol officers from throughout the South had promoted the organization.

Will Exchange Data

No State funds are involved in the operation of the new association, Poole said.

Member states are North Carolina, South Carolina, Georgia, Florida, Alabama, Arkansas, Oklahoma, Mississippi, Louisiana, and Texas. The organizational meeting was held November 13 and 14.

At Raleigh, N. C., it was announced that North Carolina is considering joining the "Southern Association of Intelligence Agents," aimed at exchanging information on Communist activities in Southern States.

State Bureau of Investigation Director Walter Anderson said agent John R. Vanderford has attended two meetings of law-enforcement officials from Southern states as "an observer."

The purpose of the group, Anderson said, is to further "exchange of information on Communism . . . on Communists' activities."

'That Was The Beginning'

"It was the strong belief even last year that the Communist Party would be required to register," he said, referring to recent United States Supreme Court decisions requiring members of the Communist Party to register with the Department of Justice.

"That was the beginning for this," Anderson said of the Southern meetings. "It was known that the tactics of Communist Party organizers would necessarily have to change. It was felt that by an exchange of information along this line we'd be able to keep abreast of activities in our various states."

Atlanta Leads Major Cities in Homicide Rate

The Atlanta Constitution
pl. June 7-25-61
Atlanta Ga.

By JOHN PENNINGTON

A sociologist has pointed out that Atlanta had the highest rate of homicides of any major American city in 1960. But don't let this send you scurrying home to dodge the bullets: that's where more than half the city's killing occurred.

The reports of a survey ranking major cities according to their homicidal tendencies comes from Buffalo, N.Y. Sociologist Gerhard J. Falk did the surveying and compiling and put Atlanta, with 67 homicides, at the top of the list. Dallas and Washington ran second and third.

Capt. R. E. Little of the Atlanta Police Department, captain of detectives and for many years head of the city's homicide squad, said the figure of 67 homicides is correct, but he offered some explanatory remarks.

* * *

FIRST, HE SAID, Atlanta chalks up all violent killings in the homicide column, without equivocation. But some big cities list "justifiable" homicides in a separate column, thereby cutting down their killing rate—on paper—Capt. Little said.

Approximately 40 per cent of Atlanta's homicides eventually are adjudged justifiable, the captain said.

Secondly, while having the dubious distinction of sitting atop the homicide heap, Atlanta ranks also at the top in solving. The detective department has a record of only 1.2 per cent of unsolved murders, Capt. Little said, while the national average is much higher—about 8 per cent.

* * *

SOMETHING that has been pointed out before is that Atlanta's Negro population is responsible for a disproportionate share of homicides. Of the 67 listed, 57 were Negroes and 10 were whites. Of those, 56 Negroes were killed by Negroes, one Negro was killed by a white person, two whites were killed by Negroes, and eight whites were killed by whites.

In an effort to pinpoint the cause of the high murder rate, Capt. Little some years ago began compiling the place of the killings.

This compilation showed that of the 67 persons who were killed last year, 42 were killed in private homes, seven in business establishments and 18 on the street.

The death weapon was a knife in 23 cases, pistol in 31, shotgun in five, and eight died from assault by other means.

* * *

THE REPORT of Mr. Falk, an associate professor of social studies at the State University of New York, put Milwaukee at the bottom of the homicide list, with only 15.

Other cities surveyed, in order of descending rates of homicide, were Houston, Newark, Baltimore, Chicago, Cleveland, Detroit, St. Louis, Philadelphia, Kansas City, Los Angeles, Cincinnati, New York, Pittsburgh, San Diego, Seattle, Boston, San Francisco, Buffalo and Minneapolis-St. Paul. New York, with 390, had the most homicides, but the rate was low because of that city's population.

Talmadge Kinsman Ends Life

Birmingham
Post Herald p. 3
June 10-4-61
Birmingham, Ala.

ATLANTA, Oct. 3 (AP)—A veteran state employe and half-brother of U. S. Sen. Herman Talmadge wounded his wife, a school principal, and then killed himself today in an outburst blamed on heavy drinking.

John A. Peterson, 55, died after firing a shot from a .38-caliber revolver into his mouth at his suburban Hapeville home. He was the son of Mrs. Eugene Talmadge, the senator's mother, by her first marriage.

One shot hit Mrs. Helen Peterson, 49, in the hip as she stood at the kitchen sink preparing breakfast and another pierced her chest as she wheeled around crying out, "John, don't shoot me."

Mrs. Peterson, an authority on educational television, underwent surgery for her two bullet wounds. Her condition was listed as serious.

Sgt. J. S. Clay of Hapeville police quoted her as saying she could account for the violence only by the fact that Peterson had been drinking heavily for three days. He had undergone frequent sanitarium treatment for alcoholism, she added.

Peterson was a senior clerk in the Georgia Department of Agriculture. He had been with the department since his stepfather, the late Gov. Eugene Talmadge, was commissioner of agriculture in the 1930s.

Second Defendant Is Sworn Witness

Atlanta Daily World Thu. 3-31-61
Atlanta, Ga.

Fulton County Superior Court judges Thursday busied themselves spelling out the U.S. Supreme Court decree earlier this week, which ruled that a defendant has a right to be interrogated by his own lawyer while on the witness stand.

Mrs. Viola Strickland, of Roswell, Ga., sworn in Wednesday afternoon as the first person in Georgia's history to deliver sworn testimony during her own trial, was found guilty on a felony charge and sentenced to serve two years imprisonment.

Mrs. Strickland was convicted in Fulton Superior Court Wednesday on charges that she attacked C. A. Walls of the Roswell, Ga., police department, July 20, 1957.

Fulton Superior Court Judge E. E. Andrews came forth with a historic decision Wednesday when he ruled unconstitutional an age-old Georgia law, which says a defendant cannot give testimony under oath. Atlanta Daily

Judge Andrews ruled further that Section 38-416 is unconstitutional, which says a person is not competent or compellable to give evidence for or against himself.

The Supreme Court decision had far reaching implications on Georgia State law, which said previously that no dependant could make a statement under oath and could not be questioned by prosecuting attorneys if they selected to make an unsworn statement.

In Judge Durwood Pye's court Thursday Ernest Escrow Arnold, 45, of 888 Drummond St., Apt. 2, testified in his own behalf involving charges that he committed assault with intent to murder, Feb. 14, 1960.

Arnold allegedly clobbered Augustin Leroy Burston, 30, of a Drummond St., S. W., address with a two-inch piece of wood, that caused possible injury to the victim's brain.

JUDGE ALVERSON IN AGREEMENT

Judge Luther Alverson of the Fulton County Superior Court predicted Wednesday that Georgia's "unsworn statement" law is doomed for abolition The judge said that a criminal defendant is entitled to questioning from his lawyer while on the witness stand.

Roswell Woman First "Witness"

Judge Andrews Rules Ga. Unsworn Testimony Law Unconstitutional

Atlanta Daily World P.1 Atlanta, Ga.
Thurs. 3-30-61

Fulton County Superior Court Judge E. E. Andrews established a precedent in Georgia state law Wednesday when he ruled unconstitutional a phrase from Section 38-415 of the Code of Georgia, 1933, which says a defendant cannot give testimony under oath.

Mrs. Viola Strickland, of Roswell, Ga., whose trial started Wednesday on a felony charge, was expected to be sworn in sometime Wednesday evening as the first person to deliver sworn testimony during her own trial.

Judge Andrews further ruled unconstitutional all of section 38-416 which says a person is not competent or compellable to give evidence for or against himself.

The judge's ruling followed a U. S. Supreme Court decree Monday which ruled that a defendant has a right to be interrogated by his own lawyer while on the witness stand.

Heretofore, no defendant could make a statement under oath and could not be questioned by prosecuting attorneys if they selected to make an unsworn statement.

Prior to the U. S. Supreme Court ruling, Georgia was the only state in the Union that had such a law on its books.

JUDGE ALVERSON SAYS OLD LAW IS DOOMED

Superior Court Judge Luther Alverson predicted Wednesday that Georgia's "unsworn statement" law is doomed for abolition. The judge said that a criminal defendant is entitled to questioning from his lawyer while on the witness stand.

He further stated that: "I believe the legislature will see the folly of the present law and abolish it." It ought to be done, he said.

Judge Andrews said that he is going to require cross-examination of any defendant asking examination by his lawyer, and furthermore he will permit the defendant to be sworn in if he desires.

Judge Andrews pointed out that grand juries and some judges and lawyers have long agitated for a repeal of the law to permit the swearing in of defendants and normal examination and cross-examination of them.



Editor Injured in Fight

McRAE—Telfair County newspaper editor Murphy McRae is plastered with bandages after he reported he was beaten, choked and threatened in the county courthouse by Telfair Tax Commissioner Henry Williams. McRae, editor of the Lumber City Log, said Williams inflicted head wounds which required 16 stitches to close. The fight started because of an editorial McRae had wrtten about the county's vote registrars. Sheriff John B. Walker quoted McRae as saying he planned to take out an assault and battery warrant against Wililams. (Special Photo)

Night Club Mgr. Abducted Here

By STANLEY S. SCOTT

An Auburn Avenue night club manager told the Atlanta Daily World Tuesday evening of his being kidnapped and robbed by three white men in the early morning hours with the threat of being thrown into the Chattahoochee River.

Police reports indicated that the three abductors were arrested approximately one hour after forcing Velmon Lewis Bolden, 29, alias "Big Baby," of 496 Boulevard Place, N. E., Apt. 2, at gun-point from the rear of a night club located at 186 Auburn Avenue, N. E.

The arrested men were apprehended at Ellis Street when their 1954 Chrysler stalled after striking a brick building, police said. The men taken into custoday were identified as William Haygood James, 37 of 129 Woodward Ave., S. E.; Sam Talmadge Henly, 31, of 1579 Jonesboro Road, S. W., and Grady Herschel Stevens, 48, of 96 Baker St., N. W.

Bolden said that he was "asked to come to the back door of the club and talk with some white fellows," he said, "when I got to the door the guy pulled a pistol on me and demanded that I leave with him."

CHAUFFEUR AIDS ARREST

The chauffeur for a musical group playing at the club is credited with putting "the finger" on the rob-suspects and leading to their arrest. "The chauffeur, Cleveland Murray, called me as I was walking down the back stairs, but I was ordered not to answer or look back," Bolden said.

The night club manager told the Atlanta Daily World that the pistol wielding white man forced him into a car with two other men and immediately took a packet containing $50.00 and $24 in loose bills. The victim stated that they took his wrist watch and demanded his diamond ring, "We'll get it off when we get to the Chattahoochee river."

Murray stated that he became suspicious when Bolden did not respond after he had called and followed the men in his car. Murray said, "I followed the perpetrators for about an hour and finally hailed a police car," he said. "Several times the man with the gun pointed it at me from their car, but could not get a clear shot at me," Murray stated.

OFFICERS ARREST MEN

Officers S. E. Nicholas and J. W. Slate stated that they were sitting in their patrol car in front of 322 Houston Street when, "We spotted a vehicle going east on Houston, operated by Cleveland Murray, who hollered, "Stop that car, it's a robbery."

The patrolmen said that they then noticed a 1954 Chrysler with several people in it coming around the corner from Hilliard to Houston Street and stop. After seeing us, the car backed east into Hilliard and then on to Ellis and stalled after striking a brick building, they said.

The officers said James was sitting in the back seat with Bolden and as "we approached the car, James put a .38 H&R pistol, fully loaded and cocked, and the money under the front seat."

Officers further stated that the driver of the car, Sam Talmadge Henley, told arresting police, "I was just along for the ride."

Stevens stated "that some Negroes were attempting to hi-jack us, thinking that we were liquor men ,and we were taking Bolden to the river to throw him in," police stated they were told.

The three white men were booked at city jail on suspicion of robbery and their case will go before the Fulton Superior Court Grand Jury June 30 for possible indictment.

Polk Official, 2 Sons Charged in Beating

Constitution State News Service

CEDARTOWN—Polk County Commissioner R. E. Forsyth and two of his sons were arrested Monday on charges of beating a 16-year-old boy and were freed under bonds of $250 each.

Earlier, the Forsyths and three other persons obtained seven warrants charging assault and battery and malicious mischief against the boy.

The warrants reportedly grew out of a fist fight in a Rockmart restaurant on the morning of July 15, said City Court Solicitor Wayne Gammon.

He said a hearing on all the charges will be held at the October term of the City-County Court.

The Polk County sheriff's office said they understood one of Forsyth's boys had trouble with the 16-year-old boy on the evening of July 14.

Chief Deputy Sheriff J. B. (Buck) Williams said he was told Forsyth and his sons, Emory and Kenneth, called the youth from a restaurant and that Forsyth held the youth while his sons beat him.

Joining the Forsyths swearing out warrants against the boy were Mrs. Gus Weaver, Jack L. Davidson and Charles Merritt. They also filed assault and battery charges against David Arnold and Joel Deems.

Warrant Issued In Logansville Case

Atlanta Daily World

MONROE, Ga.—Sheriff C. J. (Doc) Sorrells confirmed Atlanta Daily World reports Thursday that a warrant has been issued for the arrest of a white man accused of beating a Negro about the head with a pistol and Coke bottle.

It was alleged that S. T. Williams of Logansville, Ga., twelve miles from Monroe, was beaten unconscious and brought back to Monroe and left in front of the jail by a white man identified in the warrant as Richard Henderson.

Sheriff Sorrells said. "It is my understanding that the men were supposed to have had a fight, but I haven't any more information". The fight was supposed to have occured Tuesday morning, he said.

Officials at the Logansville Hospital reported that Williams was admitted to the emergency clinic with lacerations about his head and released Thursday morning after having been admitted.

The arrest warrant charged Henderson with assault and battery and was sworn out by Williams.

The sheriff said that Henderson had not been arrested as yet, but "I will arrest him."

HEINZ BUYS FIRM

NEW YORK — (UPI) — H. J. Heinz Co. plans to purchase Hachmeister Inc., 58-year-old Pittsburgh maker of baking ingredients. Directors of both companies approved the plan whereby Heinz will pay for the company with 124,500 shares of its common stock. The transaction is expected to be completed by June 30.

Man Wounded By Officer On Auburn

James R. Weems, 23 - year -old short order cook at an Auburn Ave. restaurant, underwent three hours emergency surgery for removal of a bullet in his left leg early Saturday morning after being shot by a policeman for allegedly refusing to drop a pistol when ordered to do so by Sgt. L. B. Witcher.

Sgt. Witcher stated in his report at police headquqarters that he was patrolling west on Auburn Avenue, NE., and approached a place of business at 196 Auburn, and saw Weems struggling with a man and woman with a pistol in his hand.

"I got out of my car and the armed man broke loose from the two persons he was struggling with and went down to 198 Auburn in front of the doorway," the officer said.

"I ordered Weems to drop his pistol and instead of dropping the gun, he pointed it at me. "I fired at him one time and again ordered him to drop the gun. He kept the gun pointed at me, so I fired again and he fell, dropping the gun on the sidewalk."

In a brief interveiw at Grady Hospital Saturday night, Weems stated, "I was on my way home and did not hear the policeman order me to drop the gun" He said "all I heard was 'bang'."

Johnnie M. Flemister, 22, of 253 1-2 Auburn Ave., NE., employed as a waitress at 176 Auburn Ave., was identified as the woman with Weems before he was shot.

She stated that, "I had agreed to take Weems home when another fellow came out of a restaurant and started an argument with him. Before I knew what was going on, he had been shot."

POLICE 'SPRAY' FLEEING YOUTH WITH BIRD SHOT

Police patrolling the Gray St. area stated that they sprayed a youth with "bird shot" from a 12 guage shotgun when he fled from the East Cleaners, 369 Gray St., SW, apt. 514, after being warned to halt.

Officers W. S. Smith and H. L Robinson said that they arrested Ted Lee, 17, of 560 Johns St., apt. 514, when they caught him trying to enter the cleaners.

They reported that the subject ran from the cleaners into an ally and entered a vacant house after being ordered to stop. The policemen said that Lee ran from the house and they fired a warning shot at his feet, and when he still refused to stop, they called again and shot him in the right side with bird shot from their weapon.

Lee was booked at police headquarters on suspicion of attempted burglary, police said.

Two Shot Here While Ignoring Police Orders

A 24-year-old man was shot Saturday when he ignored an order to drop a pistol and continued to point the weapon at an officer, police said.

Police Sgt. L. B. Witcher said he fired his revolver after the man, James R. Weems, Negro, of an Auburn Avenue address, continued to point a .32-caliber pistol at him. He said he fired one shot, then another when Weems ignored a second command to drop his gun.

The incident occurred after Sgt. Witcher noticed Weems struggling with a Negro woman and a Negro man in the 100 block of Auburn Avenue, NE.

Sgt. Witcher said the armed man broke loose from the woman and the other man and walked down the street. He then turned and pointed the weapon at the officer, a report showed.

Homicide detectives said one bullet struck Weems in the groin. He was admitted to Grady Hospital for treatment.

A 17-year-old burglary suspect also was shot by police when he refused to heed commands to halt Saturday, police said.

The boy, Ted Lee, Negro, of a Johns Street address, was peppered in the leg with birdshot from a shotgun as he attempted to outrun uniform patrolmen, officers said.

Officers W. S. Smith and H. L. Robinson said they chased the boy after he was seen trying to enter a business on Gray Street. The boy was shot in the leg after he ignored orders to halt and a warning shot was fired into the ground, police said.

Negro Charged In Mail Theft

ATLANTA (AP) — A 40-year-old postal employe was charged Saturday with stealing mail after Federal officers said they found $23,700 in cash and some $60,000 in stocks and bonds buried in the basement of his home.

David Lee Jobs, a Negro mail handler, was ordered held for a Federal Grand Jury under $15,000 bond, after waiving a hearing before a U.S. Commissioner.

Jacobs wept as he was questioned about charges.

"I don't know why I did it," he said. "I have never been arrested in my life."

Postal Inspector J. R. Stokes Jr. told U.S. Commissioner Frank A. Holden that 12 pouches containing registered mail had been stolen from the post office's airport facility since December, seven of them being taken this month.

Atlanta Transit Driver Reports Robbery Here

An Atlanta Transit Company bus operator reported to police early Monday morning that a youthful Negro passenger got on his bus, paid his fare and later robbed him of $62 at gunpoint.

Operator Roy H. Wallis, Jr., told police that the assailant got on the bus at the end of the line at Gordon Road, put 25 cents in the coin box and moved to the rear.

Wallis said that moments later the passenger walked to the front of the bus and pulled his pistol, saying: "Don't try any funny stuff. The safety is off," officers reported.

The passenger got off the bus immediately after the robbery, the police said.

Man Arrested For Cursing, Riding Near Klan Rites

An Atlanta Negro motorcycle rider was arrested by police after a 25-year-old white man complained to officers that the Negro was cursing and racing his motor while funeral services were being conducted for a Klu Klux Klansman.

Officers G. R. Bridges and J. L. Mullins arrested Syvanias Elias Wood, 29, of 278 Lendon Ave., N.E. after the white man, Howard Sanford, 25, of 747 Ormwood Ave., S.E. made the charge.

Sanford stated that they were holding funeral services for a member of the Klan, and that there were several members of the Klan in an adjoining parking lot with their roses on.

The officers reported that they arrested the Negro approximately 20 minutes after getting the complaint and charged him with D.C. Cursing and subpoenoed Sanford as a witness.

Contractor Is Indicted Here In Funds Issue

An Atlanta contractor was indicted on two counts Tuesday by the Fulton County Grand Jury in connection with handling funds for improvements to a Fair Street residence.

Wilbur Bell was indicted for felony and false swearing, charged with using $698.86 with "intent to defroud" Mrs. Mary Mallory, 799 Fair St., S. W.

The money allegedly was a partial payment made to improve the residence, and was to be used to pay for materials and labor on the job. The $698.86 allegedly was due to Henry L. Watson of the Watson Builders Supply Company on McDaniel St.

Bell, in a contractor's affidavit, had sworn that "all bills for labor and materials used in repairing said house have been paid in full." The indictment said the money due Watson, for which Bell was liable, remained unpaid.

Witnesses in the case were listed, in addition to Mrs. Mallory as, Henry L. Watson, Woodrow Wilson, Sandy Martin, all of the Watson Company, R. O. Sutton, Citizens Trust Company, and R. E. Thomas, attorney.

74-Year-Old Man On Trial

Stanton School Kids Testify In Shooting

Atlanta Daily World P. 1

Wed. 10-23-61

By STANLEY S. SCOTT

A 74 - year-old former Westview Cemtery night watchman went on trila before Fulton Superior Court Judge Luther Alverson Tuesday to face charges of assault with intent to murder in the May 17, 1960 shotgun shooting of two elementary students at the Frank L. Stanton School.

Atlanta, Ga.

The defendants Attorney (Dan Duke), told the one lady and eleven men jurors in his opening statement that he expected evidence to show that the elderly man suffering from an "incurable disease" and complained to the police department and school officials about the school children "bombarding" his housewith rocks over a period of time.

Rita Benton, 10, student at Frank L. Stanton School, told the jurors "I got shot in both legs on the school playground as I ran towards the school building." She further said some of the school boys had thrown rocks at the residence of Lonnie McSlade.

Another victim of McSlade's shotgun blast, Ernest Mitchell, 13, said he sat on the school playground hill overlooking McSlade's house in the valley and saw the man approaching. Mitchell stated, "I didn't throw any rocks at his house, but watched the other boys throw the rocks."

The youthful Mitchell testified that "I started running and was struck in the back, from my neck to my legs by the shotgun pellets."

Mitchell said some of the students would call the former cemetery night watchman the "witch" and throw rocks from the school yard down on his house. However, he said teachers told the students not to throw rocks at the house.

MCSLADE MAKES UNSWORN STATEMENT TO JURY

Mr. McSlade testified in an unsorn statement before the jurors and said "for nine years the students broke out my windows and rocked my house."

He said: "I haven't done anything but worked all my life and tried for nine years to get help from people to stop the children from rocking and breaking windows in my house."

The defendant told the court that "I sleep in the day and work at night and would not do anything to hurt the kids. I shot the shotgun into a rock and the pellets richocheted.

Miss Josephine Post, principal at Frank L. Stanton, took the witness stand briefly Tuesday and stated that a faculty meeting was held following McSlade's complaint.

Judge Alverson charged the jury late Tuesday afternoon and a verdict is expected this morning.

2 Farmers Say Atty. Kept Extra Thousand

Atlanta Daily World

P. 1 Atlanta, Ga.

WINDER, Ga. (UPI)—Two Negroes testified Monday attorney Marvin D. Pierce, Jr., took $2,500 from them in connection with a liquor case in which legal fees and fines amounted to only $1,500.

Harrison Thurman, a Barrow County farmer, and his son, Herbert ,were the first witnesses to be called in a disbarment suit against Pierce. A citizens committee has charged him with taking part in some of the transactions that led to the disbarment of former Judge Maylon B. Clinkscales.

Wed. 10-25-61

Herbert Thurman told the court he and his father hired Pierce to represent the younger Thurman in a liquor case in August, 1957. They quoted the attorney as saying Judge Clinkscales, who was to hear the case, would levy a $2,000 fine. They said he charged them $500 in legal fees.

When the case came on for a hearing, they said, Clinkscales sentenced Herbert Thurman to 18 months in jail or a $1,000 fine.

Later that morning, they asked both Pierce and Clinkscales about the extra $1,000 they had paid Pierce to cover what was to have been a $2,000 fine. They said they were told to "get out of town."

Atlanta, Ga.

Clinkscales was disbarred after an outgoing grand jury formed a citizens committee which charged him with misconduct in office. He was alleged to have dropped charges against defendants who would pay to go free. The Georgia Court of Appeals recently refused him a new trial.

Negro Admits Tying Up And Robbing 2 Women

The Atlanta Constitution

Atlanta, Ga.

MOULTRIE (AP)—Officers reported Thursday a 23-year-old Eastman Negro admits he tied up the mother and sister-in-law of Rep. Dorsey Matthews, struck the latter with a pistol and forced her to sign a $1,000 check.

Sheriff D. H. Alderman of Colquitt County said Charlie Simpson of Rte. 2 Eastman, was arrested Wednesday in a bus station in Americus by state patrolmen.

Rep. Matthews' 79-year-old mother, Mrs. Carrie Matthews and his sister-in-law, Mrs. Grady Matthews, were tied up with hay bailing wire and rope and left in the loft of a barn. Their cries attracted Matthews when he went to his brother's home about 11 a.m. Wednesday, four hours after the attack.

Thu. 6-2-61

Mrs. Grady Matthews told officers that Simpson, wearing a mask, slipped up on her while she was milking, hit her on the head with a pistol and bound her. She said Simpson then went to her home and tied up the elderly Mrs. Matthews. Both women were forced into the second story hayloft of the barn.

Officers were told Simpson returned to the house for a typewriter and blank check and forced Mrs. Grady Matthews to type out and sign the check. When he appeared at a bank, officials became suspicious and telephoned the Matthews home. There was no answer and Simpson was told the check could not be cashed unless Mrs. Matthews came to the bank.

Police said Simpson hitched a ride to Albany, took a bus to Americus and was waiting on a bus to Hawkinsville when arrested.

P-10

Both women were reported in good condition Thursday in a hospital.

Man Is Fined For Striking Girl In Store

MACON, Ga. —(UPI) —A 35-year-old white man was ordered Monday to pay a $200 fine for striking a 19-year-old Negro girl during a racial incident in a downtown Macon store Saturday.

Police had arrested both Harold Edward Grant and Miss Shirley Lavender after the disturbance at the J. J. Newberry store. Both had been charged with disorderly conduct, fighting.

Grant was found guilty; the girl was released.

Police said the incident was not in connection with the series of sit-in demonstrations which went on here over the weekend.

13 1961

GEORGIA



Special Photo

BLAST NEARLY DEMOLISHES DEKALB DRIVE-IN RESTAURANT

Early Sunday Explosion Buckles Walls, Crashes Windows, Throws Equipment Helter-Skelter

Drive-In Hit By Mystery Blast Here

A mysterious explosion rocked a DeKalb County drive-in restaurant early Sunday morning, almost demolishing the concrete block structure.

Police said residents of the area reported an explosion from the general vicinity of the drive-in, The Jacks Hamburgers, at 4893 Memorial Dr. at about 2 a.m.

Police were unable to comment on the cause of the explosion that littered the parking area with shattered glass, caused the roof structure to cave in in spots and buckled the concrete block wall outward.

Proprietor of the restaurant, John A. Oberg of 631 Lenox Place NE, said he found out about the blast at 7:30 a.m. Sunday from the DeKalb police.

"We've never had any real trouble out here," the proprietor said. He said he had no idea what could have caused the explosion.

"I run what I think is a decent drive-in," Oberg said. "I keep young fellows in their cars to avoid any trouble and things like that. Some of them don't like me for it, but those are only petty things."

The drive-in is located on Memorial Drive just east of Indian Creek drive.

Police were keeping the entire area roped off as late as Sunday night while the owner and others tried to clean up the store and lot.

DeKalb police detective C. W. Potts, in charge of investigating the explosion, could not be reached Sunday night. Police estimated it may be as late as the end of the week before anything definite could be said about the explosion.

Blast Jolts Negro Section

A dynamite explosion rocked a Negro residential section in northwest Atlanta early Tuesday, police said.

No one was injured, but the blast broke out 14 window panes at the Hollywood Grill and Grocery Store, 1822 Hollywood Rd., NW, officers said.

Lt. Clinton Chafin of the vice squad said Tuesday that police were working on several leads but that no arrests had been made.

It had not been determined if the dynamiting had racial overtones or was the work of vandals, he said.

Patrolman C. Black and J. R. Rogers said a police officer heard the blast at 2:40 a.m.

The officers reported, "Someone . . . set off a stick of dynamite approximately three feet from the road and about 35 feet from the building."

"It blew a hole about four to five inches deep (in a dirt parking area in front of the building) and broke 14 panes of glass," they said.

Nathan Cooper of 297 Prospect Pl., NW, owns the building, the officers said.

EXPLOSION

Hollywood Road, N. W., was actually the 3rd or 4th during the course of the evening, residents of the area reported. The first blasts were smaller and caused no damages.

The Negro neighborhood in which the bomb was thrown has been the scene of several racial incidents during recent months, chiefly involving alleged police brutality against Negro citizens, Gibson said.

NAACP Claims Police 'Tardy' In Bombing Probe

The Atlanta Branch NAACP Thursday was critical of the police department's "tardiness" in investigating a July 4th bombing in a Negro residential area.

James O. Gibson, acting Executive Secretary of the Branch, stated that he went to the scene of the bombing some seven hours after it happened and that he arrived before investigators from the Atlanta police bombing squad had shown up, the officers reportedly arriving after Gibson.

"I find meaning in this tardiness," Gibson said. "There are many casse of bombings in Negro areas which seem never to get solved. Bombing is serious business, even when it occurs in Negro neighborhoods. Anyone could have made repairs or alterations of the bombed area in seven hours and completely destroyed valuable evidence."

The blast, which occurred at about 2:40 A. M. July 4th at 1822

Cobb Police Wait Break on Bombing

The Atlanta Journal and Constitution

Haven't Given Up Mableton Case Despite Lack of Clues, McLarity Says

P. 7

By WILLIAM OSBORNE

Cobb County police said Saturday they "are just waiting for a break" to help them solve the bombing of a Negro home near Mableton.

No new clues and no suspects have been uncovered, but the department has not given up on the case, said Roy McLarity, superintendent of county detectives.

After the Feb. 27 bombing of Mrs. Juanita Davis' home, her mother, 65-year-old Mrs. Maybell Daniel, and 12-year-old Charles Davis were treated for shock. Cobb County police said at the time they knew of no racial reason for the blast.

Jun. 4 - 2-61

THE COBB County Grand Jury has not ignored the fact that the county probably has experienced more than its share of overt racial friction in recent weeks.

In a hard-hitting special presentment returned Wednesday, the Cobb County Grand Jury said those persons responsible for recent bombings of two Negro homes "merit the condemnation of all good citizens."

The persons who bombed the homes in the southern part of the county "must necessarily be ill in their minds or possessed of . . . cowardly attributes . . ." the presentment said.

It came two weeks after Cobb Superior Court Judge James T. Manning had charged the grand jury to probe into the "racial type" bombings and telephone threats that had plagued the county.

* * *

SOUTH COBB white persons had been harassed by threatening telephone calls for having Negro tenants. Explosives crashed into the home of Mrs. Davis and earlier fire bombs were thrown into a bedroom of another house near Mableton where four small Negro children were sleeping.

The grand jury said it will not consider the case closed until "those who participated in such an outrage are apprehended and severely dealt with." It recommended that a reward be offered.

Judge Manning told the jury the violence must be stopped. Both white and Negro people are affected by those who sneak around under cover of darkness to carry out the vile acts, he said.

* * *

THE PRESENTMENT was returned before the regular grand jury term ends in late April to prevent any belief that the failure to apprehend and indict the guilty persons "might be construed in some quarters as giving tacit approval" to the bombings, the grand jury stated.

Tensions and misunderstandings increase whenever actions like the bombings take place, the presentment said. "When there is injustice to any citizens of our county we all suffer."

Flaming crosses have been another form of intimidation employed by the racists.

While bombers remain at-large, society itself is sleeping on a powder keg. Lawless forces should not be permitted to wreak havoc upon peaceful communities whose only desire is to be part and parcel of our fair city.

Atlanta is proud of its good name. Its reputation has been justly earned. Yet, as long as bombers remain at large, there will be sleepless nights for a large segment of its citizenry.

Isn't it possible that some of these bombers can be arrested by our ever-vigilant law enforcement agencies?

Once again the bomb has struck at a neighborhood undergoing change. While it was meant to frighten and terrorize, the stealth of the act itself left it open to cowardice without intimidation. The lates attack was on a Flat Shoals Avenue restaurant.

Atlanta Daily World 3-7-61

It is an old, old story of the bomb being used as a weapon to stymie change and progress. Thwarted in a sense, by the inevitability of new idealism, changing concepts, new patterns and new challenge, the bombers have resorted to the man-made roadblocks which would make the old ways, the new frontier.

Bombers do not win. Progress continues over the debris, the ashes and the destruction they have wrought to rebuild the inner fortresses of society that have kept intact the law. Regardless, it is incumbent upon the enforcement agencies to apprehend lawbreakers who use the bomb.

No Arrests In Series Of Blasts

Atlanta Daily World 3-7-61

Citizens of the Negro community of Scott's Crossing in DeKalb County are at a loss as to why police have made no definite moves to stop a series of gasoline bombings that have occurred recently in the area.

Mrs. Thelam Fears, 651 Glendale Road, reported that a bomb was ignited at the side of her home May 23, and that other bombs were planted at the other homes in the area.

Charlie Lane, 74, who lives in the left side of the duplex frame house occupied by Mrs. Fears, stated, "I don't know why they would want to bomb our homes. There are only Negroes living in this area for miles around."

Lane pointed out the burned side of his residence where the crude bomb was planted.

Mrs. Fears stated that possibly the bombs were set off by whites because of a fight her daughter had with a waitress at a restaurant where she was employed.

An Atlanta Daily World reporter checked with police in Avondale and was told, "the chief is out and only he can give you information on the bombings."

Ed Jones, of 644 Glendale Road, was the victim of a bomb attempt on the same night Mrs. Fears residence was bombed. He stated that he "ran the white men off," after he caught them attempting to place a gasoline bomb on his porch.

Negroes in the community reported that police came out and investigated the bombs but no arrests have been made.

'Nitrogen' Bomb Is Blamed For Church Bombing

Birmingham World
wed 4-26-61 Birmingham Ala
pg 1 & 13

ATLANTA, Ga.—(SNS)—DeKalb County police reported Wednesday that an explosion that shattered the Piney Grove Baptist Church on Covington Highway March 26, originally thought caused by a faulty furnace, is now believed to have come from a home-made "nitrogen" bomb.

DeKalb police and Third Army demolition experts probed the dynamited structure for more than two hours after the early morning blast, sifting dirt from the basement, and said that the blast was a result of an accumulation of natural gas under the main floor of the church.

Police Capt. Ted H. WWayne said Wednesday that examination of the soil, particles of glass, paper and wood from the explosion area by the state crime lab showed a strong presence of nitrogen compound similar to that found in explosives.

Wayne said that, "Based on findings of the state crime lab, we feel there was definitely an explosion caused by a type of bomb using nitrogen compound, probably such as that used in commercial fertilizers."

Nitrogen fertilizer can be made into an explosive which can be set off with a fuse or electric spark and a dynamite cap, he said.

The church, located between Avondale Estates and Lithonia, was a total wreck in the main auditorium. The glass in all windows was blown out completely. Concrete block which covered the outside of the building was cracked from the impact of the explosion.

Officers of the Negro church were puzzled about the cause of the explosion. They had already undertaken the construction of an addition to the rear of the church.

The church had been located in the DeKalb area for more than 50 years after an acre of land was given by a white owner of the county, with the stipulation that the site to be used to erect a Negro church.

The church is the only Negro establishment in the white area. Capt. Wayne and FBI agents have questioned several persons, but no arrests have been made as yet.

White residents of the neighborhood said that the church has never been a source of disturbance in the community.

Police Uncover Dynamite Youths Had Picked Up

A teenage barter group that reportedly exchanges .22 caliber rifle ammunition for unstable dynamite and percussion caps was uncovered in this city Friday with the arrest of two youths, police reported.

Vice squad detective Lt. Clinton Chafin reported that fifteen sticks of dynamite and four boxes of caps have been recovered. Chafin said the two youths, both white, have been cited to appear in the DeKalb County Juvenile Court.

The detectives Friday said they did not know what the youths' possession of the dynamite was all about, but they reported an intention to ask some questions to find out.

Lt. Chafin was quoted as saying that the dynamite and caps were identified as part of a haul taken from a construction shack on the Expressway on December 11 —the day before the English Ave. Elementary School was rocked by a damaging explosion from an unknown source.

A case of dynamite — representing a total of 50 sticks — was reported missing, Chafin said. He added that 35 sticks of the dynamite cannot be accounted for.

In addition to the arrested pair, three other youths were being sought for questioning. Chafin said one of them was reported to have put out the word that he would exchange .22 caliber rifle ammunition for the dynamite cache.

Detectives H. A. Quave and J. L. Carney identified that youth as a member of a high school rifle team.

The two youths already in police custody were said to have been 15 and 16-years- old respectively. They were quoted as saying that they found a door open at a construction shack on the East-West Expressway leg near Gresham Park. The shack was marked "Danger — Explosives."

Three-Week Delay In Shooting Case At School Agreed

A three-week delay was approved Wednesday in the arraignment of a 17-year-old youth who is held under multiple charges in connection with the Tuesday morning shooting of another teenager in the hallway of Washington High School.

The arrested subject, an honor student at Washington High School, was scheduled for arraignment in Recorders Court Wednesday, but his attorney, Joe Salem, asked for and got a three-week delay in the hearing of the case.

The defendant, Billy S. Jones, 17, of a Battlefield Ave., S.W., address, was scheduled to face hearing in court on charges of discharging firearms, shooting another, carrying a concealed weapon and carrying a pistol without a license.

The charges arose from an episode of blazing gunfire that erupted Tuesday morning in the basement hallway of the sprawling Southwest Atlanta high school.

Caught in the burst of bullets was a 16-year-old youth who was seriously injured in three spots on his body. He was wounded in the left elbow, in the right shoulder and in the left chest, police said.

The injured youth reportedly suffered a collapsed lung as a result of the bullet that penetrated his chest. He was, however, reported in "fair condition" at Grady Hospital early Wednesday evening.

The 16-year-old victim of the shooting was also booked on a criminal charge of disorderly conduct-disturbance, police said. He was accused of flashing a pistol shortly before he was riddled with bullets from a .32 calibre revolver.

Police said the victim denied that he had displayed a pistol in the school hallway, and further denied any knowledge of a reason for the school shooting.

The arrested youth was quoted by School Detective J. E. Stephens as saying that he left a room in the school's basement and noticed a group of youths, including the victim, approaching him.

Stephens said the youth further alleged that the victim pulled what appeared to have been a .22 calibre revolver from his pocket.

At that point, the detective said he learned, Jones whipped out his own pistol and let loose with a volley of shots, three of them striking the 16-year old youth.

Though the victim denied possession of a firearm, doctors at Grady Hospital, while examing his injuries, found a blank-shooting pistol on his person, police said.

The gun was not lethal, detectives said, and would not shoot live bullets.

The Recorders Court hearing for Jones has been reset for the afternoon of January 25, according to the defense attorney.

Woman Receives Bomb Threat

An Atlanta woman was warned by an anonymous telephone caller early Sunday morning that her home would be bombed, but the residence was still reportedly intact Monday morning, police reported.

The call was received by a woman identified by police as Miss Anita Louise Nathaniel, 27, of Anderson Ave., N. W., address, police said.

Patrolmen J. A. Phoebus and C. E. Weeks said the young woman told them that the caller had the voice of a "young, very intelligent" person, but she was unable to detect whether the caller was Negro or white.

The caller, police said they were told, repeated several times that "you all n——s better get out because we're bombing up the place this morning."

Then he warned, police said they were told, that "you can take it for a joke if you want to, but I wouldn't

Police said Miss Nathaniel told them that the caller never identified himself. She was further quoted as saying that she had no idea who it could have been who threatened her with a bomb.

The incident occurred at approximately 6:15 a. m. Sunday, police said.

Second Negro Home Bombed in South Cobb

An explosion rocked the home of an elderly Negro couple in South Cobb county Sunday night. No one was injured, police reported.

It was the second bombing of a Negro residence in the area in the past few weeks.

Cobb County Police Chief Amos Bates said he heard the blast at his home some five miles from the scene. The explosion occurred at about 8:20 p.m., he said.

The Negro couple, was in a front bedroom of the house when the bomb went off.

The bombed house is on Pisgah road, about two miles from Mableton, where a few weeks ago another Negro residence was bombed.

The home is owned by Wash Daniel, a retired farmer.

Daniel and his wife, Maybelle, both about 75, were shaken up by the blast but were not believed to be injured, the chief said. Mrs. Daniel was taken to Austell hospital to be treated for shock.

Daniel told police he could think of no reason for the bombing.

He said he was sitting in a rocking chair in the bedroom when he heard something hit the ground in the front yard. As he was getting out of his chair to see what it was, he said, the bomb exploded.

Front and side windows of the house were blown out, the chief said, and curtains were torn down. A large number of shingles was knocked off the roof by the blast, he added.

The house was roped off to keep spectators back, Bates said, and police Sunday night were diverting traffic from Pisgah Road.

R. D. Ruff of the Georgia Bureau of Investigation was expected to reach the scene and begin an investigation Sunday night.

Chief Bates also informed officials at Ft. McPherson of the blast and asked for a team of demolition experts to help with the investigation.

Blast Rocks Negro Home

MARIETTA, Ga. (AP) —An explosion rocked the home of an elderly Negro couple Sunday night in south Cobb County, but there were no injuries, police said.

It was the second apparent bombing of a Negro residence in the area in the past few weeks. The house is on Pisgah road, near Malbeton, where another Negro home was bombed recently.

Cobb County Police Chief Amos Bates said Sunday night's bomb probably was made of dynamite.

The home is owned by Wash Daniel, a retired farmer. Daniel and his wife were shaken by the blast. He told police he could think of no reason for the bombing.

The Negro said he was sitting in a rocking chair in a front bedroom when he heard something hit the ground in the front yard. Daniel reported that the bomb exploded as he was getting out of his chair to see what it was.

Front and side windows of the house were blown out, curtains were torn down, and many shingles were knocked off the roof by the blast.

Death Narrowly Missed

3 Bombs Hurled Into Bedroom Of Four Small Marietta Children

MARIETTA, Ga. (UPI)—Cobb County police, aided by agents of the Georgia Bureau of Investigation, launched a search Wednesday for a bomb thrower who tossed three home-made bombs into a home near Mableton, Ga., nearly costing the lives of four small Negro children.

A spokesman said police had no immediate clues to lead them in their search.

Police Chief Amos Bates said the bombs were made by placing two-inch firecrackers through metal lids into fruit jars filled with either gasoline or kerosene. The bombs were hurled into the home of the Negro family late Monday night.

The father ran outside the house after one of the bombs exploded in the children's bedroom and by breaking out a window managed to get all four-ages 1 to 5- out safely.

The Mableton Fire Department arrived on the scene in time to save the house.

Bates said he does not think that the bombing was racially-inspired. One police department spokesman said it was possible that the bombing was a move to divert police attention from a $250 safe buglary which occurred the same night in Mableton.

Lyons Charges 2 In Jail Bombing

Constitution State News Service

LYONS—A prize fighter and a real estate dealer have been arrested for leaving a bomb in the Toombs County jail, Sol. Gen. Walter C. McMillan said Wednesday.

The bomb exploded, knocked the plaster off the walls and rattled the windows in a house next door to the jail. No one was injured.

Sol. Gen. McMillan said James Raymond Lancaster, about 28, the boxer, and Jessie Edward Younce, 32, both of Spartanburg, S.C., were arrested a short time later, charged with "delivering explosives to prisoners" and released on $1,000 bond.

McMillan said the bomb exploded a few minutes after Lancaster, jailed on a charge of drunk driving and speeding, posted $136 bond and was released.

No traffic charge was brought against Younce, but officers said he reportedly appeared outside Lancaster's cell and the two were overheard talking about a bomb.

After the blast, Lancaster and Younce were overtaken driving a sports car about 60 miles away in Long County.

McMillan said he could give no reason for the bombing unless it was a "prank."

Eleven Bombings

IT IS FRIGHTENING, sickeningly frightening, to realize that 11 times during the past eight months bomb blasts have shattered the decency of the Atlanta area.

So far no one has been killed in these bombings, but the count of those injured and nearly killed should appeal to the twisted mind that can throw a bomb at night. A 10-year-old boy and a 75-year-old couple have been injured; a 12-year-old boy, his mother and his 65-year-old grandmother have been hospitalized from shock; and four children, ages 1, 2, 3 and 5, have been pulled from a burning home, narrowly escaping death.

Only a sick, perverted person, no matter how justified he thinks his cause to be, could find such action less than repulsive.

These bombings have been spread around the area—five in Atlanta, four in Cobb County, one in DeKalb and one in Douglasville. Ten have been against Negro homes or property and one against a labor union official. No arrests have been made.

Many persons have strong views favoring preserving segregation. They are sincere views. They fully realize that the real blast from a night-time bombing hits them, as it identifies these cowardly actions with them and their cause.

It is repugnant to every Southerner to think that this handful of fanatic haters parade their sneak bombings before the nation and the world as representative of the South. Through their actions they dirty the name, history and spirit of the South, to the discredit of us all.

This is something so heinously warped and wrong that all of us, regardless of our views on segregation or desegregation, must join in beating it down.

Something can be done. Atlantans of all views can establish a feeling of certainty that those who would bomb in the night will be revealed by every decent person in the community. They must learn they would have no place to hide—that they could boast of their deeds to no one outside of their perverted circle.

And they will not always be safe, even with their own—for there are few people in the South low enough to forever live with the knowledge that they helped terrorize babies, children, parents and grandparents by shielding the cowards who threw the bombs.

Cobb Joining DeKalb in Bomb Probe

Cobb and DeKalb County police officials are expected to get together in the next two or three days to compare notes on bombings that have plagued both counties.

Cobb GBI agent R. D. Ruff said a state crime lab investigation of the bombing Feb. 26 of a Negro home revealed the presence of a nitrogen compound similar to that found in the debris of a Negro church bombed recently in DeKalb.

No arrests have been made in either bombing.

The Cobb County blast occurred during the early evening on Feb. 26 at the home of Wash Daniel, about two miles from Mableton. The explosion at the Pine Grove Church, 5340 Covington Highway on March 26 was originally thought to be gas, but examination by the state crime lab turned up traces of ammonium nitrate, officers said, a commercial fertilizer that can be used as an explosive.

Ruff said since the crime lab reports were similar the Cobb officers would like to compare notes.

MR. CECIL PADGETT, STATE STAR WITNESS
IN THE ALBERT PATTERSON MURDER TRIALS.

Star in Patterson trial goes to jail

The Birmingham News
File-2306-1

COLUMBUS, Ga., June 22—Cecil Padgett, the state's star witness in the Albert Patterson murder trials, is under six month's sentence in a larceny case which brought testimony that he had received $750 a month from Alabama Gov. John Patterson to "keep his mouth shut."

Patterson termed the testimony a "ridiculous accusation" and said: "The statement is preposterous. There is not a speck of truth in it."

Padgett, an honorary colonel on Patterson's staff, was sentenced to a public works camp after his conviction in Superior Court here on a charge of "larceny from the house." He was charged in connection with the theft of tools from an automobile repair shop here in February.

AFTER DELIBERATING for more than hour, the jury yesterday returned the guilty verdict and set Padgett's sentence at one year, but recommended misdemeanor punishment.

Judge J. R. Thompson followed the jury's recommendation and set Padgett's sentence at six months. The jury would have set the sentence if Judge Thompson had not followed the recommendation for misdemeanor punishment.

Padgett's attorney, J. Walter Owens, said that the fact that Padgett holds an honorary colonel's title with the governor of Alabama indicated that Padgett is not the hardened criminal type.

A co-defendant in the Padgett case, P. G. Hogge, key witness for the state prosecutor, testified in court that Padgett had once told him "Gov. Patterson paid him $750 a month to keep his mouth shut."

Hogge is also charged with larceny from the house but his case has not been brought to trial.

OWENS, IN CROSS examining Hogge, brought out that Hogge is presently on a 12-month probated sentence after conviction here in January on a charge of possessing illegal whisky.



CECIL PADGETT
. . . Sentenced for theft

• In 1955, Padgett testified in the Albert Patterson murder trials of former Russell County (Ala.) Chief Deputy Sheriff Albert Fuller and former Russell County Circuit Solicitor Arch Farrell.

He testified that he saw them running from the scene where Patterson was slain in Phenix City the night of June 18, 1954.

Fuller was convicted and is serving a life sentence. Farrell was acquitted in a subsequent trial.

Patterson's son, Gov. Gatterson, filled the office of attorney general, the office to which his father had been nominated before being slain. He was later elected governor.

Padgett has had numerous brushes with the law here in recent months, including a charge of violating the Georgia compulsory school law in connection with his teen-age son failing to attend classes.

PADGETT ALSO was sought by police here in Dec., 1959, in connection with disorderly conduct charges which stemmed from his allegedly cursing five teen-age boys on Dillingham-st Bridge, which connects Pheix City and Columbus.

That night, he fled to the Alabama town and has not been arrrested on the charge.

Prior to that, Padgett had a run-in with a local policewoman when he tore up a parking ticket, and drove off. An arrest order was issued in that incident, too, but it was canceled after he apologized for his actions.

At the time of these two incidents, Padgett lived in Alabama. He now lives in Columbus.

13 1961 GEORGIA DYNAMITE

Atlanta Celebration Rocked By Dynamite Blast In Hollywood Rd. Area, Damaging A Grocery Store

Bombing Staged Near Area Where Teenager Attacked

By STANLEY S. SCOTT

A mysterious dynamite blast was set off early Tuesday morning in the Northwest section of Atlanta shattering window panes at the Hollywood Grill and Grocery Store, 1822 Hollywood Road, N. W.

Police said that the explosion near Perry Boulevard was set off by a single stick of dynamite approximately three feet from the road and about 35 feet from the building.

Nathan Cooper of 297 Prospect Place, N. W., owner of the grill, stated that he was surprised at the 2:40 a. m. blast that caused an estimated $40 damage to his establishment.

Cooper stated that he heard "something like a firecracker blast" about 9 p. m. He said, "I was looking at the car the first time it happened, but I couldn't tell whether the occupants were white or Negro."

Ortelus Shelmon, 1818 Hollywood Road, said that he heard the explosion and saw a car turn east on Perry Boulevard, but was unable to give a description.

Shelmon stated further that he had heard a smaller blast at the same location about 9 p. m. Monday night.

Officers reported that the dynamite blew a hole about four to five inches deep and about eight to 10 inches wide and broke more than 14 panes from Cooper's store front. No arrests have been made by Atlanta police in connection with the bombing.

RACIAL INCIDENTS REPORTED IN AREA

Several weeks ago three white men were arrested on Perry Boulevard for allegedly attempting to run down a Negro teenager with their automobile.

The men were allowed to post collateral bonds and later released from police custody. Parents of the youth became dissatisfied with the police handling of the case and attempted to swear out a warrant for the arrest of the men on assault and battery charges, but were denied warrants by city officials.

Other racial incidents reported in the Perry Boulevard-Hollywood area includes a recent report by 37-year-old Willie S. Virgle, 1501 Drew St., Apt. 993, who told the Atlanta Daily World Monday, "I was walking down Perry Blvd. at Mary Joyce St., N. W., from the store when white officers stopped me about 12:30 a. m." Virgle said, "the officer hit me in the temple and stomach when I told him that I was on my way home."

He stated further that the white officer commented, "you n . . . don't know when to go home. If you're on my beat when I come back, I'm going to lock you up."

Atlanta cafe wrecked by hurled bomb

ATLANTA — A shattering dynamite blast last week heavily damaged a restaurant and clubhouse and smashed windows in residences over a wide area, police said.

A half dozen persons were meeting in the rear of a building near where the blast struck.

Sgt. C. B. Dickerson said the explosives evidently were hurled from a passing car as a steady rain pelted Atlanta. He said the missile appeared to have smashed through a window and blasted out a rear section of the building.

"I thought the world opened up," said William Shields, who was inside the building. Shields said he was a member of the Swingsters Club which sometimes met in the rear of the building after the restaurant closed.

13 1961

$500 Reward Offered For Mystery Bombers

The Atlanta Constitution.
P.1 Atlanta, Ga.

By KEELER McCARTNEY

The City of Atlanta Thursday posted a reward of up to $500 for information leading to the arrest and conviction of persons responsible for the recent bombing wave as the Police department struck hard to identify the night bombers.

Lt. Clinton Chafin, head of a new squad assigned exclusively to the bombings, said his men had developed several leads which could bring an early arrest in one such bombing.

Chafin and four detectives were detailed to investigate bombings as Police Chief Herbert Jenkins asked the city to post rewards for valid information leading to arrest and convictions in bombings and cross burnings.

Mayor William B. Hartsfield agreed that the city would pay the rewards to civilians who furnish such information. He said the rewards would not be paid to policemen.

This marked the first time the Atlanta Police department has been able to offer rewards for information, a practice which has been used for years in other enforcement agencies.

In a letter to the mayor, Jenkins pointed out there have been a dozen bombings and a dozen cross burnings in Atlanta in recent months. He said the Detective Security Division is being increased by the specialized squad under Chafin, but added:

The Atlanta Constitution

"As you know this is a most difficult type of harassment to cope with. I believe we have made it clear that mob violence will not be tolerated here."

HIT AT NIGHT

"The rabble-rousing element has gone underground and strikes unprotected locations under the cover of darkness."

The mayor said he agreed with the chief that such cases were difficult to solve. He added persons committing them rarely act by themselves and he felt that the rewards would serve a good purpose in bringing forward those who had information.

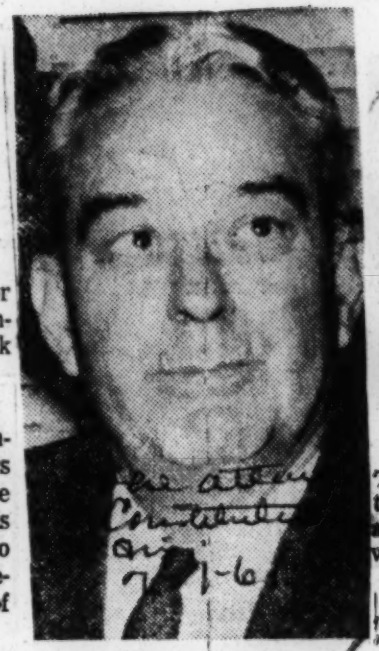
Hartsfield echoed a police contention that some of the bombers are coming in from outside the city. He stressed that the rewards will be paid to any civilian who furnishes valid information regardless of his or her place of residence.

Cross burnings in Atlanta ceased following the arrest and conviction of a man on May 18. Not so the bombings. Eight bombings have occurred this year, three of them within the last three weeks, and no arrests have been made.

As the city stepped up activity to eliminate the bombings, the Atlanta branch of the NAACP issued a statement criticizing police "tardiness" in investigating a Fourth of July bombing in a Negro residential area.

James O. Gibson, acting executive secretary of the branch, charged investigators from the police bombing squad arrived at 1822 Hollywood Rd. NW some seven hours after the blast occurred.

Police records show that a uniformed officer in a prowl car heard the blast, arrived on the scene within a matter of minutes, and called for a superior officer. Uniformed officers made the initial investigation and reports which later were turned over to the Security division.



ASKED REWARDS
Chief Herbert Jenkins

GEORGIA BOMBING

Police Department Offers $500 Reward In Bombings Here

Atlanta Daily World
p. 1 Thu 7-7-61

In an unprecedented move here Thursday the Police Department, through the solicitation of the city administration, offered a $500 reward to any civilian who could furnish valid information leading to the arrest and conviction of the person responsible for bombings in Atlanta.

Police Chief Herbert Jenkins commented that bombings and cross-burnings occurring in Atlanta in recent months presented a difficult type of problem to deal with, but said that the security division's specialized squad is being enlarged, under the direction of Lt. Clinton Chafin, to deal exclusively with getting to a solution of these recent outbreaks.

Mayor William B. Hartsfield verified the reports of the reward and expressed that the responsible parties came from outside of Atlanta. He said that the guilty parties work underground in darkness in unprotected communities, and believed that the reward will bring out those who may have valuable information.

The Atlanta Daily World has editorially deplored this harrassment of Negro citizens and the bombing of their homes and businesses, and has urged the local law enforcement agencies to seek means of stopping the incidents, and bring the guilty persons to speedy justice.

The police department has been under fire from the Atlanta Branch NAACP for its lack of results in handling of cross-burning and bombings. With the exception of one, all of the latest victims have been Negroes.

Youth Fakes Assault, Lets Bride Wait Alone

ATLANTA, Sept. 17 (UPI) A young Georgia Tech bridegroom who left behind a ransacked car before "disappearing" on his wedding night admitted today it was all a scheme he concocted because he got cold feet.

His bride-to-be, unaware of the scheme and thinking her bridegroom possibly was kidnapped or harmed, gamely went through with the wedding reception, encouraging the guests to have refreshments.

Hoke Smith Thomas Jr., 21, the bridegroom, turned up last night; stumbling along a rural road, claiming he had spent most of the time he was "missing" tied to a tree in a patch of woods not far from Atlanta.

Earlier, authorities had found Smith's car with what appeared to be blood on the front seat and luggage. Detectives said suitcases in the car had been ransacked and the bride's trousseau was strewn about the car.

The bride-to-be, 19-year-old Wynona Gullatt of Opelika, Ala., remained "poised and calm," inviting 75 to 100 wedding guests to have cookies and drink punch while bloodhounds sought the "missing" Thomas.

When police found him, he apparently was dazed and bruised, but not badly hurt. He was taken to a local hospital.

After strenuous questioning, in which his father took a major role, Thomas admitted he became "extremely upset and nervous" about his prospective wedding Friday and dreamed up his disappearing act.

He said he and another Georgia Tech student, whose name was withheld, spent Friday in a remote shack in the woods and yesterday morning the other man tied Thomas to a tree. Later, according to plan, he wiggled himself free.

Police said Thomas admitted inflicting minor wounds on his forearm and head with the sharp edges of a plastic pencil sharpener.

Thomas and his fiancee met last night and later the boy's father said, "he's ready to go ahead with the wedding if the girl will still have him."

Fiance Disappears, Bloody Car Found

ATLANTA (UPI) —Police have found the bloodstained car of a 21-year-old Georgia Tech student who disappeared Friday night while on the way to his wedding.

There was no sign of the bridegroom, Hoke Smith Thomas Jr.

He disappeared after he left home in his car for the church, where his 19-year-old bride-to-be and a wedding party of 75 to 100 guests waited.

Officers said Thomas' wallet was found in the car, stripped of about $150 and the pictures he usually carried.

Bloodstains were found on the steering wheel and floor board of the car. Detectives said suitcases in the car had been ransacked.

The mystery left the family of the engineering student perplexed. "We just don't know what happened," said Thomas' mother. "I'm really worried about my boy."

"We think he might have been robbed," the father said.

The bride-to-be, Miss Wynona Gullatt, remained "poised and calm" said the pastor of Druid Hills Methodist Church, who was to have performed the wedding.

"She invited the people to have refreshments," he said, "and she stood by herself over by the cake."

Later Miss Gullatt went to the bridegroom's car, where her trousseau was strewn about.

While the wedding guests ate cookies and drank punch at the church, bloodhounds followed a trial from the ransacked car to a point half a mile away before losing it.

A brother, Charles Thomas, 18, said Thomas had called him after leaving home and told him his car had broken down. When Charles got to the scene he found the car ransacked.

4,489 Youngsters Tossed in Jail With Criminals

Atlanta Constitution

By MARION GAINES

The setting up of a State Youth Commission and the establishment of juvenile detention homes in each judicial district were advanced Wednesday as possible solutions to the problem of school-age children being locked up in the common jails.

The proposals came in reaction to a report showing that more than 4,000 school-age youngsters are locked up each year in jails because there's no other place to put them.

10-17-61

4,489 JAILED

A survey by Georgia's visiting teachers showed that from June, 1960, to June, 1961, a total of 4,489 children were jailed in 123 counties.

Atlanta, Ga.

The survey was conducted at the request of the Georgia Council of Juvenile Judges and will be used by the Georgia Federation of Women's Clubs at their district meetings in laying the groundwork for introduction of possible remedial legislation at the 1961 General Assembly session.

The children covered in the survey wound up in the jails because of some delinquency or crime or because of parental neglect or abandonment.

SEPARATION ADVOCATED

Most authorities advocate the separation of juvenile offenders from older or confirmed criminals. How to do it remains the problem.

Lowndes County Sheriff Jewell Futch, head of the Georgia Sheriffs' Association, said his group believes "Something must be done to correct this problem."

"I endorse 100 per cent the segregation of children from hardened criminals," Futch said. "In most Georgia jails, there's absolutely no means of doing this."

"One idea that's been kicked about is the erection of a juvenile detention home in each of the (38) judicial districts in the state, with each county paying a pro-rata share of the costs," Futch pointed out.

Hill Healan, executive secretary of the Association of County Commissioners of Georgia, said his organization has taken "no official position" on the problem.

TO PROBE PROBLEM

"But I do know there is terrific interest on the part of county governments statewide regarding the problem of what is the proper thing to do with juvenile offenders," Healan said.

Healan said he expects legislation will be sponsored—if not by the county commissioners then by some other group — creating a State Youth Commission which would investigate the problem thoroughly and come up with recommendations as to the best ways of coping with it.

Fort Valley Police Chief Grady Cochran, head of the Georgia Peace Officers Association, agrees there's a problem but believes that it's more or less "a local affair for local people to tend to."

Fort Valley has facilities in its city jail for keeping juvenile offenders separated from hardened criminals, said Cochran. In fact, Fort Valley often takes care of juveniles from neighboring counties such as Houston, Crawford and Taylor, he added.

CHILDREN ABANDONED

The visiting teachers' survey showed that of the 4,489 children jailed in 123 counties, a total of 442 were there because they were abandoned by their parents or were dependent on the county for some other reason.

Eleven boys and five girls were under 8, the survey showed, with the largest number detained being in the 16-18 age group and the second largest in the 12-16 group.

Police Wounded By Gunman Here; Assailant Fatally Wounded By Partner After Surprise Shots

Atlanta World 01 Wed 8-23-61

Atlanta Ga

Patrolman Taliaferro Shot As He Opened Car Door

By HARMON PERRY and GEORGE COLEMAN

A veteran Negro policeman was gunned down Tuesday night in front of a McDaniel Street service station when an apparently berserk gunman, already firing at thus far unidentified persons, turned a blazing .38 calibre pistol on the patrol car as it arrived at the scene of the disturbance.

The gunman was shot down in seconds when the wounded officer's partner crept around the patrol car as bullets slammed into the vehicle, and fired point-blank at the assailant who had just backed into the service station. He later died in surgery.

Patrolman James Taliaferro, who had served five years with the Atlanta Police Department, was felled by a bullet which entered the right side of his abdomen. A second bullet wound was found high up on his right side near his back, but Grady doctors, who rushed him to surgery, believed this may have been an exit path of a single bullet.

The gunman, tentatively identified from a paper in his clothing, was believed to be Leonard Calvin Griffin, of 470 Kennedy Street, Apt. 5.

The shooting happened at approximately 9 p.m. at Cherry's Service Station, 719 McDaniel St., S.W.

First reports were vague, but officers who rushed to the scene said there had apparently not been a police call to the station when the police drove down McDaniel Street. Taliaferro was driving the police ...and Ptl. J. W. Bailey, also a vet... police officer, was riding with ...an R A. Knight, one of the first officers to arrive at the scene, said Griffin's unconscious form was found just inside the front door of the service station. Taliaferro was found lying just outside of it.

Detective Claude Dixon said he had learned the police car was cruising in the area when Taliaferro spotted a man firing a pistol inside the service station in which several people were backed to a wall.

Dixon said he understood that Taliaferro drove over to the front of the station and opened the door of the patrol car.

"Just as he got out of the car," Dixon said, "I understand the man whirled and fired at him."

Dixon said he was told Bailey, who is known as a crack shot, managed to slip around the car as the man backed into the station and shot him down.

The wounded suspect was found to have several loose bullets in his pocket.

Wed 8-23-61

Numerous police cars immediately rushed to the scene after hearing Bailey's voice over the radio say, "My partner's shot. Service station at railroad."

Meanwhile Capt. W. L. Duncan and Sgt. Howard Baugh rushed to the Blvd. residence of Taliaferro and picked up the wounded officer's wife and mother.

"We wanted to get to them and explain things before they were shocked by hearing it blasted over the radio," Duncan said. "They hadn't heard a thing."

Both men were rushed to surgery. Griffin died in surgery. Taliaferro was given a fifty-fifty chance.

Police said the service station was spattered with bullet holes. There was one bullet hole in the window of the service station ,apparently where Bailey fired at the gunman. One bullet hole was found in the police car.

Police immediately rounded up the people in the service station and took them to headquarters for questioning.

Officer Bailey said he and his partner drove up to the service station immediately after hearing shots being fired, and as Taliaferro got out the patrol car from the side he was felled with a bullet fired by Griffin.

Bailey further stated that he rolled out on the ground from his side as Griffin pointed the gun at him, and began crawling behind the patrol car toward the other side. The officer said that while he was crawling Griffin fired at him. Officer Bailey said that he shot Griffin as he moved into position on the right side.

A witness, identified as Howard Raver, told police that Griffin came into the service station and began an argument directed at him, and then pulled a gun and fired, barely missing. The witness said it was at this point that Officers Bailey and Taliaferro rolled up in the patrol car.

Several witnesses questioned at police headquarters gave the same account of events leading up to the shooting of Officer Taliaferro as Raver gave.

The patrol car occupied by the officers had one bullet hole in the upper part of the right door, another bullet mark on the lower part of the door, which police theorized came from a ricochet bullet . . . and a dent on the door believed to have been caused when Taliaferro fell.

Youths Arrested In Attack On Principal

Atlanta Daily World

P. 1

By STANLEY S. SCOTT

Two 17-year-old youths armed with a long stick attacked a local high school principal Friday night as he left a football game at Herndon Stadium with another principal apparently in an act of revenge, police said.

Ben 10-15-61

J. Y. Moreland, 38, of 1010 Ashby Grove, SW., principal of Washington High School ,told police that he had attended the Morehouse-Alabama football game and was enroute back to his parkd automobile on Tatnall St. when a group of teenagers began following him.

Atlanta Ga

Moreland stated that he was accompanied by A. J. Lewis, principal of Slater School, when he was approached by two youths identified as Henry Neal, 17, of 676 Northside Dr., S. W., and Charles Williams, 17, of 534 Ashby St., N. W.

The principal said that Neal appeared to be in a drunken condition and attempted to start an argument with him on the street, saying: "I heard you were looking for me and wanted to tackle me."

Moreland said that he pleaded without avail with the boys to leave the area before they got into trouble.

STICK SPLINTERS ON PRINCIPAL'S SHOULDER

Moreland stated that Neal then grabbed a long stick that Williams was carrying in his hand and struck him across the shoulders with such force that the stick was broken into splinters.

Investigating Sgt. Howard Baugh and Patrolman M. H. Baldwin reported that the principal walked away from the youthful assailants and called police. Sgt. Baugh apprehended the boys at the intersection of Raymond and West Hunter and placed them under arrest on assault and battery charges.

Sgt. Baugh reported Neal as saying he had just gotten out of prison on a burglary charge, and on Thursday went to Washington High School and asked for permission to walk the halls in the school, although he was not enrolled as a student.

The youth reportedly said that he decided to get revenge on the principal after Moreland stopped him in the hall and asked him to leave the school premises.

Police Lieutenant Found Innocent in Theft Case

The Atlanta Constitution
Fri. 9-15-61
Atlanta, Ga.

A DeKalb County jury Thursday acquitted a DeKalb police lieutenant charged with conspiring with fellow officers to commit burglary.

The state wound up its case against Lt. Thomas H. Gaines about 2 p.m. After a detailed charge by Superior Court Judge Frank Guess on questions of law, the jury retired at 2:45 p.m. to deliberate.

The 10 men and two women of the jury came back in once for clarification by Judge Guess of points of law and rendered the verdict at 6:20 p.m.

Only two witnesses took the stand Thursday. One, Claude L. Huey, foreman of the grand jury, identified a document defense attorneys placed in evidence. The other, Eugene Wilkinson, a garage operator, was a character witness for Gaines.

Gaines was charged with conspiring with policemen Roy Leon Cobb, 22, and Charles Chupp, 42, to burglarize the John B. Daniel drug distributor warehouse on Aug. 1 in which nine cameras were stolen.

Cobb turned state's evidence Wednesday and swore that Gaines was in on the agreement whereby he (Cobb) and Chupp would enter the warehouse while Gaines sent other patrol cars out of the neighborhood.

Gaines denied the charges in an unsworn statement. He admitted that Chupp gave him two cameras that morning over his objections.

In summation, defense lawyers emphasized the laws concerning circumstantial evidence and that a defendant must be guilty beyond a reasonable doubt or the verdict should be for acquittal. They also brought in points of law that an accomplice's testimony must be corroborated with independent and direct evidence for its acceptance.

Solicitor General Richard Bell said in his summation that "there was a cancerous condition" in the DeKalb police department "which we all hope these trials will remove."

He charged that Gaines was in on the conspiracy or he could have "satisfactorily explained where he got the cameras."

13c 1961

Dodge Sheriff Kills Man In Macon Scuffle

MACON, Ga. — (SNS)— A 24-year old man was fatally wounded early Friday morning when a Dodge County sheriff fired a shot into the man's abdomen during a scuffle on a downtown street.

Benjamin Jackson Eckles, 38, who was hired as a sheriff only five months ago, was in Macon to pick up a parole violator when Thomas N. Quarterman was killed.

Eckles is being held on an open charge pending an inquest Monday into the death of Quarterman.

Eckles told police officials that he had visited the Macon Moose Club and was walking down a street when Quarterman and two women crossed the street, reaching the sidewalk on which he was walking at an alley.

According to the deputy, a statement was made between the Negroes and Eckles asked if anyone was talking to him. A brief scuffle and exchange of words ended with the deputy firing a bullet from his service revolver into Quarterman.

Detective Chief W. H. Bargeron said that the inquest has been tentatively set for 4 p. m. Monday.

Widow Files Murder Warrant Against Officer

MACON, Ga. — (UPI) — A Dodge County deputy sheriff Saturday was charged with the murder of a Negro although a Bibb coroner's jury earlier returned an involuntary manslaughter verdict.

Deputy Benjamin J. Eckles, 38, of Eastman, was held in the Bibb County jail without bond.

Sol. Gen. William M. West said the widow of Thomas N. Quarterman, 24, filed the murder warrant in connection with the fatal shooting of her husband early Friday morning.

Two Negro women, Catherine Solomon and Doris Schofield, told the coroner's jury Saturday that they were walking on either side of Quarterman on their way home from a Negro Elks Club. They said they came up behind a white man identified as Eckles, who was "staggering."

The two women testified that the white man asked Quarterman if he was speaking to him. Quarterman said "no," according to the women, and then Eckles struck the Negro. Quarterman hit back and a scuffle ensued.

The women said Eckles drew a pistol and shot Quarterman in the stomach.

Bibb Medical Examiner Dr. Leonard Campbell testified there were pistol burns on the victim's clothing. He died of internal bleeding.

However, Eckles testified that Quarterman struck him first, and that he shot the Negro because he was afraid he was going to rob him.

GEORGIA

New trial set; boy, 15, convicted in Ga. death

(See Editorial Page 4)

ATLANTA, Ga. — The NAACP secured postponement this week of the death sentence of Preston Cobb, 15, charged with killing a 70-year old white man. The stay followed filing of a motion for a new trial which will be heard on Oct. 6. Execution had been scheduled for Sept. 22.

The slaying took place in Monticello, Georgia, following a quarrel last June between young Cobb and Frank Coleman Dumas.

An all - white, all - male jury "deliberated" a mere 45 minutes before rendering the guilty verdict without recommending mercy. This made the death sentence mandatory. The youth would have become the youngest person to be electrocuted in modern Georgia history.

DONALD L. HOLLOWELL, NAACP attorney here, is handling the case following investigation by Vernon E. Jordan, the Association's Georgia field secretary.

Mr. Hollowell, a seasoned civil rights lawyer, was retained at the request of the boy's mother, Mrs. Leatha Cobb, who came to the NAACP for help.

The Georgia Pardon and parole Board announced its intention to investigate the case this week following an appeal by Mrs. Eleanor Roosevelt, in her syndicated column, for citizens to wire Georgia Governor S. Ernest Vandiver asking clemency.

WIFE GREETS VERDICT WITH GRATEFUL TEARS

Jury Acquits Dodge Deputy Sheriff In Shooting Death of Macon Negro

p 14 The Atlanta Constitution Thurs. 11-30 61

MACON (AP)—A deputy sheriff of rural Dodge County, charged with murdering a young Negro on a Macon street, was acquitted by a Bibb County Superior Court jury Wednesday night.

The jury deliberated three hours before returning the verdict in the murder trial of Deputy Sheriff Benjamin Jackson Eckles. When the verdict was announced, Eckles' wife, who had sat by his side during the trial, burst into tears and embraced her husband.

As the verdict was read, a large number of Negroes present in the courtroom balcony could be seen shaking their heads.

In an unsworn statement near the end of his trial, Deputy Eckles told the jury he fired his pistol at Thomas N. Quarterman, 24, early Aug. 11 only after the Negro attacked him in a robbery attempt and reached into his pocket as if to draw a knife.

He said his wrist watch, introduced into the evidence with a broken band, was torn from his arm as Quarterman assaulted him.

ARGUMENTS BEGIN

After his witness stand appearance, arguments to the jury began. Solicitor General William M. West told the jurors that if they determined the white deputy was justified in shooting the Negro, they should acquit him. Otherwise, he said, they might return a verdict of murder or of manslaughter.

Defense attorney Russell Ross of Eastman said Eckles plainly shot in defense of his life and should be promptly acquitted. Attorney W. O. Cooper Jr. of Macon concluded the defense plea.

Eckles said he met Quarterman in the company of a Negro woman as he was returning from the Macon Moose Club to his automobile. He had never seen the Negro before, he said, had no animosity toward him and shot him only to protect himself.

WITNESSES FOR DEFENSE

About 25 character witnesses testified for the deputy. They included a Superior Court judge, a solicitor general, three sheriffs, a former U.S. marshal and the defendant's pastor.

West had rested the state's case late Tuesday afternoon. Police Capt. Ralph Brannon testified he had examined Eckles in his cell to see if he had been injured in the encounter with Quarterman, who died less than three hours after he was shot. He said he found no sign of injury although Eckles insisted he had been hit in the head.

CAPTAIN TESTIFIES

The police captain testified that Eckles acted like a man "full of whisky."

Another policeman, Sgt. Arthur Harris testified that Eckles told him while he was being booked:

"I don't know the operation of the city of Macon, but if it is anything like Eastman, I've got nothing to worry about." Eckles is a deputy in Dodge County, 40 miles southeast of here. Eastman is the county seat.

The only known witnesses to the actual shooting were two Negro women who were walking with Quarterman at the time of the incident. They testified Tuesday they saw Eckles staggering down the street.

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GEORGIA

SEPTEMBER
ATLANTA-$500,000 DAMAGE SUIT FILED AGAINST THE MAYOR, AND POLICE CHIEF. YOUTH ARRESTED WHEN 4 PUBLIC HIGH SCHOOLS WERE DESEGREGATED

Atlanta Youth Seeks Damages Over Arrest

The News and Courier

ATLANTA (AP) — A $500,000 damage suit was filed against the mayor, the police chief and a captain of detectives Friday on behalf of a youth arrested Aug. 30 when four public high schools were desegregated.

The action charged the city officials with conspiracy in the alleged false arrest and false imprisonment of 17-year-old George Obear IV of suburban Avondale.

Obear was arrested at Murphy High under a city ordinance prohibiting interference with the operation of the schools. He was sentenced to 60 days but released two days later by Mayor William B. Hartsfield.

Named in the suit filed in suburban Dekalb County Superior Court in addition to the mayor were Police Chief Herbert Jenkins and Capt. R. E. Little.

Two separate counts, each seeking $250,000, alleged false arrest and false imprisonment.

Hartsfield had no comment on the suit. Jenkins and Little were not available for comment.

Student Shot In School Hallway

Atlanta Daily World
Atlanta Jour.
Wed. 1-4-61

Blazing gunfire erupted in the basement hallway of Washington High School late Tuesday morning, leaving a 16-year-old male student riddled by three bullets that punctured his body and left him seriously wounded, police said.

A 17-year-old honor student at the school blasted away with a .32 calibre pistol when the victim and a group of other boys approached him in the school hallway, police said.

School Detective J. E. Stephens identified the arrested subject as Billy S. Jones, 17, of a Battlefield Ave., S. W., address.

Jones, said by school Principal C. N. Cornell to be an honor student in the senior Class at Washington High, was booked for discharging firearms, shooting another, carrying a pistol without a license and carrying a concealed weapon.

Jones was held under a total $800 bond at City Jail Tuesday afternoon pending a scheduled arraignment in Recorders Court on the multiple charges this afternoon.

The 16-year-old victim was rushed to Grady Hospital for treatment of at least three gunshot wounds. He was admitted for further observation, records showed Tuesday, and hospital officials reported that afternoon that he was in "fair condition."

VICTIM BOOKED

The victim was also booked with a criminal charge following police investigation. He was charged with disorderly conduct - disturbance, police said, after a blank pistol was found in his possession as Grady Hospital doctors treated his wounds.

The bullet-riddled boy incurred gunshot wounds to the left elbow, to the right shoulder and the left chest, police said.

The chest wound, according to Det. Stephens, caused one of the victim's lungs to collapse, thus, prompting his admittance for further observation at the hospital.

The shooting occurred a approximately 11:30 a. m. Tuesday in the basement hallway of the sprawling, nearly block-long Washington High School building, police said.

Stephens said Jones told him that he had applied for a transfer from Washington High to a Northeast Atlanta high school just prior to the shooting.

Stephens said he was told that Jones went to the basement and went into a room there. As he left the room, the detective said, he noticed that the victim, surrounded by a number of other boys, was walking towards him in the hallway.

POINTED PISTOL

Jones said the victim whipped out a pistol that looked to be a .22 caliber revolver, and pointed it in his direction, police reported.

Jones, police said they were told, then drew his .32 calibre revolver and blazed away with it in the victim's direction. Three of the bullets struck the victim, but no other injuries were reported to the other members of the group

After the shooting, the victim ran police said they were told, but he was later located and transported to the emergency clinic for treatment of the wounds to his body.

The victim denied that he had pulled a pistol, and asserted that he knew of no reason for Jones to shoot at him. At that time the pistol that the victim allegedly wielded had not been located.

Later, at Grady Hospital, a doctor, while examining the victim, found the blank pistol in his pocket. The gun was not lethal, police said, and would not fire live bullets.

The victim's identity is known, but he cannot be identified in accordance with Georgia law, since he is under 17-years-old and charged with a criminal misdemeanor offense.

Contacted at his home later Tuesday, Washington High School Principal C. N. Cornell said that he was in the midst of conducting a full-scale investigation to determine all the facts in the case.

Cornell declined to disclose much of his investigation for publication, but he did indicate that Jones had allegedly been "picked on" while he attended the school, and that he was "fearful" for his safety.

Cornell said Jones had applied for transfer to another high school in Northeast Atlanta that would have perhaps been closer to his home address.

Cornell said he was "going through the whole thing" to gather all facts. He promised a "full administrative investigation" of the incident to get all details.

Arraignment for Jones in Recorders Court today has been scheduled for 2:30 p. m., but the fact that a key subject involved in the incident is still hospitalized and unable to appear in court may cause a delay in the hearing.

Former Teachers Ordered To Serve 4 Months Of 18-Month Conspiracy Term

Atlanta Daily World
Atlanta Jour.
Thurs. 1-26-61

By JOHN BRITTON

Three former Atlanta public school teachers Wednesday were ordered to serve four months in a federal penitentiary as punishment for their alleged conspiracy to embezzle almost $25,000 from a teachers' federal credit union here.

The four months actually served behind bars will only be part of an 18-month sentence imposed on the trio by U. S. District Judge Boyd Sloan at a hearing in open court Wednesday morning.

After serving four months of the 18-month sentence in federal prison, the remainder of the term - about 14 months - is to be suspended and served in freedom but under the supervision of the federal probation office.

The defendants, all one- time employes of the Atlanta Public School System, were identified in court records as Mrs. Oretha B. Waller, of a Kennessaw Ave., N. E., address; Mrs. Willie Houser Ladson West, of an Oldknow Dr., N. W., address, and Spurgeon Yorke Poe, of a Telhurst St., S. W., address.

All three were charged in an indictment returned by a federal grand jury last year with conspiring to embezzle $24,972.60 from the funds of the Atlanta Teachers No. 2 Federal Credit Union, an organization composed of teachers and school system employes of Fulton and DeKalb counties.

The three count indictment generally accused the trio of conspiring to violate federal laws regulating credit unions; embezzling, and making false entries in credit union books.

NO CONTEST PLEAS

Poe and Mrs. West entered pleas of nolo contendre (no contest) at their joint arraignment in December, 1960, while Mrs. Waller made a similar plea in an arraignment session held for her exactly one week ago today.

Following the sentencing of the defendants Wednesday morning, they were allowed to make $1,500 appearance bonds each and ordered to report back to the U. S. Marshal's office on February 23 to begin service of the court - imposed penalties against them.

The one - month delay in committing the defendants to prison was agreed upon to allow the principals involved to straighten out personal affairs and prepare to enter prison for four months.

Assistant U. S. District Attorney S. Robert Sparks said there is no possibility for appeal of the sentences against the trio. He said a nolo contendre (no contest) plea is viewed the same as a "guilty" plea in the eyes of the law, and neither can be appealed.

The sentences against the trio were relatively light, compared to what they could have been, court attaches observed.

Each defendant could have been sentenced, under a maximum possible penalty, to serve 20 years in prison each and or a $25,000 fine each, depending upon the discretion of the judge.

Two counts in the indictment charged against the defendants carries a statutory maximum penalty of five years each, while the third count against them carries a 10-year maximum penalty, court officials said.

Atlanta Jour.

SITES SPECULATED

U. S. Marshal W. C. Littlefield, contacted at his office following the trial for Mrs. Waller, Poe and Mrs. West, said the two women would likely be sent to the Federal Reformatory for Women, in Alderson, West Virginia when they begin serving their sentences on February 23.

The lone man, Poe, will possibly be sent to serve out his four-month sentence at the Federal Prison Camp, in Montgomery, Ala., according to Marshal Littlefield.

The trio stood mutely as sentence was pronounced against them by Judge Sloan, then they silently took their seats in a row deserved for prisoners after hearing the penalty assessed against them.

Relatively few persons appeared at the hearing.

Judge Sloan, after studying the charges in the indictment, issued a brief lecture to the ex-teachers who stood before his bench for sentencing.

At one point, he said, in effect, that since the alleged embezzlement had apparently been going on for a long period of time, he couldn't reconcile the conduct of the defendants with honesty and integrity.

The indictment had alleged that Poe, Mrs. West and Mrs. Waller had conspired over a three-year period, beginning in 1957 and ending in 1960, to embezzle money from the teachers' credit union to which they all belonged.

Mrs. Waller was treasurer of the organization, and Poe and Mrs. West were members of a sub-committee set up within the group.

Specifically, they were charged in the indictment with embezzling money from the credit union by:

1. Using fictitious names on loan applications that were approved on the recommendation of Mrs. Waller, then the three allegedly cashed and divided money from the checks.

2. Obtaining loans for non - credit union members and taking portions of the loans.

3. Persuading credit union members to allow the use of their names in obtaining loans, with the trio allegedly taking the money for themselves.

Though a general idea was given as to where the defendants will eventually end up serving their four - month sentences each the final arbiter in that matter will be the Federal Bureau of Prisons.

Night Club Bouncer Charged With Student Movement Fraud

Detectives said Wednesday night that they had arrested an Atlanta night club bouncer who had represented himself as an agent of the local student movement and had collected a large sum of money from numerous sources "under false pretenses," it was reported.

Detectives Howard Baugh and C. J. Perry said the man, under questioning, admitted that he was not connected with any local student movement, and that he had used the funds he collected "entirely for his own use."

Baugh and Perry identified the arrested man as Rogers Martin, 21, of a hotel address in the 200 block of Auburn Ave., N. E. The detectives said they held the man on suspicion of cheating and swindling pending a hearing on the matter in Recorders Court this afternoon.

Baugh and Perry said that Martin had been arrested for similar actions during the year 1960, and that he was put under 18 months probation as a result of trials evolving around that earlier cases.

In the latest incident, Detective Baugh reported that he was able to uncover the work of Martin through the aid and efforts of bona fide members of the student movement groups in Atlanta.

He said he was put on the arrested man's trail by a source in the student movement after actual workers in the movement became concerned over reports of the man's alleged activity.

Baugh and Perry said they received information Tuesday that Martin had "called on several business concerns and private citizens, soliciting money for the student adult movement."

After making an investigation, Baugh said he discovered that Martin had allegedly "called on more than 75 business establishments and had collected more than $351.95 through his efforts."

On one occasion, the detectives said they learned, the arrested subject made a speech before a church pastored by the Rev. J. R. Lovette. As a result of the speech, Baugh said, the church group took up money "under his request" in the amount of $60.

Baugh and Perry said they went to the subject's hotel room Tuesday night and questioned him. The detectives said the man admitted, at that time, that he had actually collected the money and that "he had used it for his own personal use."

"He said he paid his hotel bill with part of it and the other money he used for his general upkeep," Baugh and Perry quoted the man as saying.

In searching the subject, the detectives said, "we found a small gold badge marked Special Deputy Sheriff, and also a .38 calibre revolver. The badge is being held as evidence.

Baugh and Perry said Martin told them that if he was given a chance he "would like to make restitution for all the money that he had taken under false pretense."

Baugh said the incidents complained of had been going on since the beginning of this year, and up until January 15.

Perry said Martin had been set for arraignment in Recorders Court this afternoon on cheating and swindling charges.

3 school teachers begin jail terms

ATLANTA (ANP) — Three teachers, who did not contest federal charges they embezzled $25,000 from their credit union, began serving four - month prison terms last week.

The three surrendered to U.S. Marshal William C. Littlefield. They were identified as Mrs. Oretha B. Walker, Mrs. Willie Houser Ladson West and Spurgeon Yorke Poe.

U.S. District Judge Boyd Sloan in late January ordered the three to serve four months of an 18-month sentence and placed them on probation for two years.

Mystery Blast Rips Negro's New Home

Constitution State News Service

DOUGLASVILLE—A house under construction in a Negro subdivision near here was heavily damaged by a mysterious explosion early Wednesday, the Georgia Bureau of Investigation said.

GBI Lt. H. A. Poole said the house, owned by Isham Bius, an Atlanta taxi driver, was struck by explosives shortly after midnight.

Officers said it appeared that a package of from three to five sticks of dynamite was set inside the front door of the house and ignited.

The blast ripped off all the house's insulation, shattered the windows, and buckled the walls. No one was injured.

The explosion was heard about a mile away.

An Army ordinance team from Fort Benning investigated the blast but turned up no clues.

The house is located in a subdivision just off Summer Lake Road near the Douglas-Fulton County line.

Lt. Poole said officers did not know the motive for the explosion "but we've got several things we're working on . . . it could've been a racial incident."

About 14 Negro families already live in the subdivision, and several houses are under construction in the area.

Bius was building the house himself during his spare time. He was one of the developers of the subdivision, Lt. Poole said.

Cobb Bomb Blast Clues Are Sought

By STANLEY S. SCOTT

A bomb blast Sunday night in the front yard at the home of Wash Daniel, 75-year-old South Cobb County retired farmer, caused by unknown perpetrators, was heard five miles away as it blew out windows and knocked shingles from the roof, leaving Daniel and his wife Maybelle in a state of nervous shock, but unharmed.

Amos Bates, Cobb County Police Chief, told the Atlanta Daily World, "This is the second bombing of Negro residence in this rea in the past few weeks. The whites are as much disturbed as the Negroes over the bombing of Daniel's home. I have known him for over 20 years and he has never given anyone any trouble."

Daniel and his wife were in the front bedroom of the house when the bomb went off and I heard the explosion at my house five miles away Bates said.

Bates stated that Daniel told him, "I was sitting in the rocking chair in the bedroom when I heard something hit the ground in the front yard. As I got out of my chair to see what was going on, the bomb went off." Daniel told police that he knew of no reason why someone would want to bomb his home.

When asked if any clues to the bombing have been discovered, Bates stated. "Two demolition experts from the third army, Georrgia Bureau of Investigation men, two county detectives and the sheriff began immediate investition. He further stated that there did not seem to be any connection between the fire bomb that was exploded and the bomb that was ignited a few weeks ago in the Negro residential area.

Bates stated that Daniel met him across the street from the bombing and began weeping telling Bates, "Mr. Bates I don't know what caused this."

Mrs. Daniel was taken from her Pisgah residence to Austell to be treated for shock.

Daniel has lived at this place for 26 years. We haven't picked up any clues yet, but we are running tests on the bomb at the Georgia State Crime Lab, the chief said.

Negro Charged In Mail Theft

ATLANTA (AP) — A 40-year-old postal employe was charged Saturday with stealing mail after Federal officers said they found $23,700 in cash and some $60,000 in stocks and bonds buried in the basement of his home.

David Lee Jobs, a Negro mail handler, was ordered held for a Federal Grand Jury under $15,000 bond, after waiving a hearing before a U.S. Commissioner.

Jacobs wept as he was questioned about charges.

"I don't know why I did it," he said. "I have never been arrested in my life."

Postal Inspector J. R. Stokes, Jr. told U.S. Commissioner Frank A. Holden that 12 pouches containing registered mail had been stolen from the post office's airport facility since December, seven of them being taken this month.

COBB OFFICIALS FAIL TO FIND BOMB CLUES

The Atlanta Constitution
Atlanta, Ga.
Jan. 5-61

Cobb County police say they are still looking for clues in last week's explosion at a Negro's home near Mableton.

"There's still nothing definite," said a detective at county police headquarters Saturday.

The blast, preceded by mysterious telephone calls late at night, came last Monday at the home of Mrs. Juanita Davis. Her mother, Mrs. Maybell Daniel, 65, and 12-year-old Charles Davis were treated for shock after the explosion.

* * *

AGENTS of the FBI and Georgia Bureau of Investigation and Third Army demolition experts were called out on the case.

The scene of the explosion was not far from a similar incident three weeks ago. Four Negro children escaped harm then when homemade fire bombs were tossed through two windows of their home.

Cobb County Police Chief Amos Bates and GBI resident agent Ralph Ruff said at the time that they were unable to find a racial angle to the bombings.

Mrs. Davis said she has lived in the house 15 years without trouble. White families live nearby. The telephone calls which preceded last week's bombing, she said, came late at night. She said she would answer the phone and hear nothing on the other end of the line.

Cobb Grand Jury To Probe Bombing

Atlanta Daily World
Atlanta, Ga. Thurs. 3-16-61

Cobb Superior Court Judge James J. Manning told the March-April term of the County Grand Jury to look into the "racial type" bombings and telephone threats which have plagued the southern part of Cobb County in recent weeks.

In charging that the perpetrators must be stopped, Judge Manning stated, "They might be bombing our houses next just because they don't like our politics or what church we go," he said in his charge to the jury.

Explosives were thrown into an elderly Negro man's yard and fire bombs were thrown into the bedroom of another Negro home where several children were sleeping, a few weeks ago.

White persons have been threatened over the phone because they have Negro tenants.

The judge told the grand jury that the court wanted to go on record on "how we feel about this type of condition." The disturbances must be stopped, he said.

People who make the threatening telephone calls are "yellow," said the judge. They will not fight in the open, but will sneak around and bomb a man's home by night, Judge Manning charged.

The judge said that less than 10 per cent of Cobb County's population is Negro, and in the past the county's record of race relations has been good.

P... they were unable to ... whether the explosion was a result of any racial problems in the area.

OPENED THREE MONTHS

Lt. K. G. Davis of the fire department said the Negro grill operator, William Shields, reported three white persons had tried to buy his lease. Shields opened for business about three months ago.

Davis said the explosives were thrown or placed on a concrete slab next to the side of the building. The officer said the explosion pulverized the concrete floor, broke windows, ripped out portions inside the grill and caused sections of the ceiling to collapse.

There are white persons living near the grill, Davis said.

Negro Cafe Demolished By Explosion

The Montgomery Advertiser

ATLANTA (AP) — Police said an explosion believed caused by several sticks of dynamite demolished portions of a Negro restaurant early Wednesday.

Six Negroes inside the eating establishment were not injured by the blast which shattered windows of nearby homes in the southeast Atlanta.

Cobb Jury Rips Racial Bombings

The Atlanta Constitution
Atlanta, Ga.

MARIETTA (AP)—In a sharply worded special presentment, the Cobb County Grand Jury Wednesday said whoever was responsible for recent bombings of Negro homes "must necessarily be ill in their minds or possessed of such cowardly attributes that they merit the condemnation of all good citizens."

Thurs. 3-30-61

The jury said it was issuing the presentment at this time to forestall any possible belief that failure to apprehend and indict the guilty ones "might be construed in some quarters as giving tacit approval" to the bombings.

The jury said it will not consider the case closed until "those who participated in such an outrage are apprehended and severly dealt with."

It recommended that a reward be offered in the case.

The jury said such bombings "only serve to heighten tensions and misunderstandings. When there is injustice to any citizens of our country we all suffer."

'Nitrogen' Bomb Is Blamed For Church Bombing

Atlanta Daily World-Atlanta, Ga
Thurs. 4-20-61 P. 1

DeKalb County police reported Wednesday that an explosion that shattered the Piney Grove Baptist Church on Covington Highway March 26, originally thought caused by a faulty furnace, is now believed to have come from a home-made "nitrogen" bomb.

DeKalb police and Third Army demolition experts probed the dynamited structure for more than two hours after the early morning blast, sifting dirt from the basement, and said that the blast was a result of an accumulation of natural gas under the main floor of the church.

Police Capt. Ted H. WWayne said Wednesday that examination of the soil, particles of glass, paper and wood from the explosion area by the state crime lab showed a strong presence of nitrogen compound similar to that found in explosives.

Wayne said that, "Based on findings of the state crime lab, we feel there was definitely an explosion caused by a type of bomb using nitrogen compound, probably such as that used in commercial fertilizers."

Nitrogen fertilizer can be made into an explosive which can be set off with a fuse or electric spark and a dynamite cap, he said.

The church, located between Avondale Estates and Lithonia, was a total wreck in the main auditorium. The glass in all windows was blown out completely. Concrete block which covered the outside of the building was cracked from the impact of the explosion.

Officers of the Negro church were puzzled about the cause of the explosion. They had already undertaken the construction of an addition to the rear of the church.

The church had been located in the DeKalb area for more than 50 years after an acre of land was given by a white owner of the county, with the stipulation that the site to be used to erect a Negro church.

The church is the only Negro establishment in the white area. Capt. Wayne and FBI agents have questioned several persons, but no arrests have been made as yet.

White residents of the neighborhood said that the church has never been a source of disturbance in the community.



INTERIOR OF CHURCH—DeKalb County Police Captain Ted Wayne views pieces of shattered furniture in main auditorium of Piney Grove Baptist Church. Area was a complete wreck from mysterious explosion set off early Sunday morning. (World's Photo by Perry)

No Evidence Of Dynamite Found At Wrecked Church

By HARMON G. PERRY

DeKalb County police, and a detail from the Third Army's Ordinance Corps, indicated Monday that the explosion that tore through the Piney Grove Baptist Church did not come from a dynamite charge.

After a two-hour long probe of the shattered structure, and the sifting of dirt from the basement, Captain Ted Wayne of the DeKalb County Police Department said that the explosion probably came as a result of an accumulation of natural gas under the main floor of the church.

Capt. Wayne would not say whether or not he suspected a tampering with a gas mechanism which may have led to the explosion that rocked the 50-year old church about 6:00 a. m. Sunday.

... did say, however, that there would be further investigations into the matter to eleminate any doubt in his mind that the explosion was anything other than accidental. Monday's conclusion was based on a failure to find any evidence that would have suggested the use of dynamite.

The church, located on highway 278 between Avondale Estates and Lithonia, was a total wreck in the main auditorium. The glass in all windows were either blown out completely or partially. There were instances where the concrete block which covered the outside of the building was cracked from the impact of the explosion.

By late Sunday afternoon news of the explosion had drawn huge pilgrimages of curious people from surrounding areas, and as a fire official said, "It looked like a circus around here."

Officers of the church were puzzled about the explosion. If it had been a deliberate action by some one, they could not think of any reason why. They had already undertaken the construction of an addition to the rear of the church.

The edifice had stood there over 50 years after the one acre plot of land was given by a white land owner of the county, with the stipulation that it would be used for the erection of a Negro church only.

Restaurant Is "Bombed" Here

Building Shattered, Six Customers Are Unhurt

By HARMON G. PERRY

An explosion five minutes after the midnight hour Wednesday morning virtually destroyed the interior of a restaurant at 210 Flat Shoals Avenue, N.E., shattering glass from the windows of surrounding houses. No one was injured, although there were at least six people in the grill at the time of the explosion.

Police theorized that the explosion was caused by a homemade bomb or some other type of man-made devise, but by late Wednesday afternoon had no clues as to who was responsible, and made no arrests.

The grill is located in the edges of the so-called "Reynolds Town" section, in the neighborhood that has passed from white to Negroes over the past year and a half. Police said the area is being troubled over Negroes moving into the once white neighborhood, but William Shields, proprietor of the grill, said that he had not had any threats or intimidations since opening the grill two months ago.

WATCHING TELEVISION

Shields said that he was sitting in the back room watching television when suddenly it "seemed that the world was coming to an end"—an electric clock on the wall stopped exactly at 12:05. Mrs. William Shields said that it was a miracle that no one was killed. She had moved from the point of heaviest impact seconds before the explosion. Joe Louis Wright, a 20-year-old employee, said that a piece of iron pipe sailed across the main room and imbedded itself in the wall about four inches above his head.

According to Shields damage to the premises is estimated at around $6,000. He told police that he had planned to move his business this week to another building near by, but that this had nothing to do with the offer he had been getting from certain white men to buy the business.

The bombed building is owned, according to police reports, by a white man living at 214 Flat Shoals Ave., and is leased to Shields under the name of William Baynes. The white owner, identified as James Jordan, told police that he had never been approached or threatened.

Mr. and Mrs. Shields, however, are taking close shave with death, and business loss in good humor, although they know this is no laughing matter. Mrs. Shields joked about the destruction of all of her home-made pies that were up for sale. "A piece of pie I had in my hand at the time of the explosion went away," she said.

Mr. Shields was more serious about the matter than anyone else. "I don't know who it was that did it, but I can say it was a bunch of cowards," he said.

Negro Stabs Guard 7 Times with Ice Pick

COLUMBUS (AP)—A 65-year-old night watchman was in fair condition at a hospital here Monday after a Negro assailant stabbed him seven times with an ice pick.

A. O. Savage was admitted to the hospital around 2 a.m. Monday with stab wounds in the face, back, head and arm. He was attacked at the Coca-Cola bottling plant here.

Police said Robert Jackson, 23, plant employe, is being held in connection with the attack on Savage.

Jackson also was admitted to the hospital for treatment of hammer wounds on the head and face. He suffered the injuries in a scuffle with Savage, officers said.

The Negro assailant escaped the scene after the attack, but police, using Savage's identification of the man, located the Negro at home in bed and arrested him.

Savage told police he found Jackson in the building and the Negro attacked him. Officers said a cash box was missing from an office in the plant.

Columbus Probing Traffic Death of Boy

COLUMBUS (AP)—A coroner's inquest is scheduled here Thursday to investigate the traffic death of a 6-year-old Negro boy on March 4.

On that date Ricky Sutton was killed near the intersection of the Expressway and 24th Street.

Police originally said it appeared as though three cars were involved, one being a hit-and-run driver.

Now, according to officers, it appears that only two drivers were involved, and one of them apparently hit the boy, causing his death.

The incident cocurred around 9 p.m. on a Saturday in and area that is dark and heavily traveled, police said.

Coroner C. F. Davis said all evidence in the case will be presented to a five-man coroner's jury to determine by what manner the boy came to his death.

King's brother found guilty of drunk driving

FAYETTEVILLE, Ga., March 14—(AP)—The brother of Negro Integration Leader Martin Luther King Jr. yesterday was put on probation for one year, fined $150 and had his driver's license revoked for six months for drunken driving.

The Rev. A. D. Williams King pleaded guilty and sentence was pronounced by Judge John McGehee.

King, like his brother, an Atlanta minister and leader in sit-in activity, was arrested Feb. 4 by two state troopers who said they had seen him weaving on the road. The officers said that he was in a staggering condition.

The state patrol said that this was King's fifth traffic violation.

Teachers Begin Serving Terms On U.S. Charges

Three Atlanta school teachers have surrendered to U. S. Marshall William C. Littlefield, Feb. 23, to begin serving four month prison terms, after being convicted on federal charges of embezzlement of $25,000 from their credit union.

U. S. District Judge Boyd Sloan ordered the teachers to serve four months of an 18 months sentence and suspended the remaining 14 months. He placed them on probation for two years.

The convicted teachers were identified as Mrs. Oretha B. Waller, 659 Kennesaw St., NE; Mrs. Willie Houser Ladson West, 2745 Oldknow Dr., NW, and Spurgeon Yorke Poe, 2177 Telhurst St., SW.

Negro, blind man struggle

ATLANTA, Ga., March 18—(AP)—An Atlanta policeman said he was forced to fire his pistol into the air today to disperse a crowd which had gathered around a trolley to witness a disturbance between a Negro youth and a blind white man.

Officer R. D. Marshall said he warned the group of 12 to 15 Negroes twice to move on but they pressed closer to the bus. He said he fired his pistol into the air and the crowd scattered.

One Negro, booked as Clarence Lampkin, 23, Atlanta, was charged wit hdisorderly conduct-fighting and disorderly conduct-resisting.

MARSHALL SAID as he approached the trolley, three Negro youths jumped off. The officer said Lampkin then got back on and hit H. V. Stell of Atlanta, whom the officer said was blind.

The policeman said he started to get on the bus to break up the fight when Lampkin tried to run. The officer said he caught Lampkin and took him and Stell off the bus to determine the cause of the disturbance when the crowd gathered.

Policeman's Fire Flushes Crowd

ATLANTA, Ga. (AP) —An Atlanta policeman said he was forced to fire his pistol into the air Saturday to disperse a crowd which had gathered around a trolley to witness a disturbance between a Negro youth and a blind white man.

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Woman Who Lost Eye, Convicted Of Officer Attack

Mrs. Kathryn Nichols was found guilty Thursday by a Fulton Criminal Court jury on charges of assaulting a policeman and given two 12 month suspended sentences.

Mrs. Nichols charged that pistol beatings by College Park policemen caused her to lose her right eye. College Park police Lt. R. L. Groover told the defendant's attorney, D. L. Hollowell, under cross examination, that he had taken measures to subdue the defendant when she turned on his partner, H. A. Whitlock, and began choking him.

After being found guilty of gambling and operating a gambling house, Judge Charles G. Bruce set a $1,000 appeal bond for the woman.

6 Students Indicted in Farm Fire

Constitution State News Service

CARROLLTON — The Carroll County Grand Jury Tuesday indicted six Mount Zion High School students in connection with the burning of the barn and hay crop of a man who signed a petition to consolidate their high school.

Five of the six also were indicted and accused of shooting out a barber shop window and a neon motel sign. The barber shop owner and the motel owner also had signed the petition favoring consolidation of Mount Zion and Central Carroll high schools.

The indictments charged the boys specifically with arson and malicious mischief. Their ages ranged from 15 to 18.

The indictments were the latest development in a bitter, months-long feud over whether the Mount Zion High School should be kept intact or consolidated.

As the indictments were being handed down, the Carroll County School Board reaffirmed its earlier decision to close down the high school part of Mount Zion and consolidate it with Central High, about 10 miles from Mount Zion.

A spokesman for the school board said the board expected its decision to be appealed to the state board of education.

The consolidation was proposed shortly after the Mount Zion High gymnasium and several classrooms were heavily damaged by fire several months ago.

J. C. Brown, chairman of the Carroll Board of Education, said the board considered it "too expensive" to build new classrooms at Mount Zion. He also pointed out that state education study committees have said the 180-student high school did not provide an adequate program of study.

"We feel the consolidation would be best for the children involved," Brown said.

WOULD DRY UP

Opponents of the consolidation have said the move would "dry up" Mount Zion community.

James Wallis, chairman of the Board of Trustees of Mount Zion, even offered the school board $45,000 in fire insurance money to build the new classrooms.

As the dispute grew sharper, violence erupted.

Among persons who signed a petition calling for school bus transportation from Mount Zion to Central High were Claud Griffin, a farmer; James Patterson, operator of a Carrollton barber shop, and M. E. White, a motel operator.

The petition, in effect, urged abolishing Mount Zion High School.

BARN BURNED

Shortly after the petition was signed in February, Griffin's barn, containing his entire hay crop was burned to the ground.

Patterson received threatening, anonymous telephone calls in the middle of the night. Finally someone fired a shotgun into the front window of his barber shop.

And night-riders also shot out a neon sign in front of M. E. White's motel.

White said the night after his sign was shot out, he received a telephone call.

"I hear you had a little trouble," he quoted the caller. "I'll bet you won't sign any more petitions."

"If I get a chance, I'll sign a petition to send you to the chain gang," White said he told the caller. "I guess I shouldn't have said that, but I was mad."

Matron, 65, Beaten in Brunswick

BRUNSWICK (AP) — A prominent Brunswick matron was found semi-conscious and suffering from head wounds in a closet of her home Wednesday.

Mrs. Charles L. VanDiviere, about 65, underwent emergency surgery for a brain concussion at the Brunswick hospital while police searched for a Negro yard man.

Assistant Police Chief Rex Deaver said the Negro, about 35, came here from New York about six months ago.

HUSBAND MISSED HER

Mr. VanDiviere, distributor for an oil company in this area, reported he came home about 1 p.m. and could not find his wife.

The furniture was in disarray upstairs in the home, which is located in a fashionable section of the city.

VanDiviere reported he went downstairs and opened a closet, finding his wife. Two folding chairs were on top of her.

ATTACK MENTIONED

Deaver quoted VanDiviere as saying his wife mentioned that she had been attacked by a yard man she had fired.

Mrs. VanDiviere had been struck several blows on the head and lost a large amount of blood from the wounds, but is expected to recover.

Employe Is Quizzed In Gray Explosion

GRAY (AP)—A Negro employe was held for questioning Friday in connection with a series of mysterious explosions and fires which caused an estimated $50,000 damage at a Jones County rock quarry plant.

Sheriff Holmes Hawkins said the employe was arrested late Wednesday after his footprints were found around gasoline tanks at the damaged Weston-Brooke Co. rock quarry plant at nearby Ruby.

The sheriff said the man was held on an open charge pending further investigation. Hawkins declined to reveal his name and said it was entirely possible he had no connection with the explosions and fires.

A magazine containing about 8,000 pounds of dynamite exploded at the rock quarry shortly before daylight Sunday. Other explosions and fires severely damaged office and storage buildings and company equipment.

Hawkins said the huge crater caused by the magazine explosion was gradually drying out and that investigators were able to rake through the damp dirt and clay in their search for clues.

Another Negro employe, who disappeared about four hours before the first explosion, is still missing, the sheriff said. He emphasized, however, that no evidence had been found to connect him with the incident.

Meanwhile the State Crime Laboratory in Atlanta was analyzing fragments of bone and flesh found near the scene of the explosion.

But Dr. Larry B. Howard said it would be at least three or four days before the tests are completed.

A spokesman at the laboratory said the specimens were so small and so clay-caked it might be impossible to establish whether they were human or animal.

Woman Beaten Brutally, Held Prisoner by Doctor

By KEELER McCARTNEY

A husky physician from Calhoun Falls, S.C., Wednesday was charged with holding his common-law wife prisoner for three days in a local hotel and severely beating her, police said.

Hapeville Detective Sgt. J. S. Clay said the 27-year-old woman, a frail 97-pound brunette and an expectant mother, was admitted to an Atlanta hospital. Clay said her condition was described as serious.

Dr. Lincoln P. Elam Jr., 36, was held at Fulton Tower on a warrant charging assault with intent to murder and also under a peace warrant signed by the woman, Clay related.

Clay said the case would be presented before the Fulton County Grand Jury Friday.

The woman, a widow and the mother of three children, had both eyes closed, her body badly bruised and her face "as black as ink," Clay said. He said he was told she also suffered internal injuries.

"The doctor who examined her told me she was the worst beat up person he'd ever seen," Clay declared.

The woman was quoted as saying that she and Dr. Elam arrived in Atlanta by automobile Sunday and registered at the hotel. Police said she told them she was held prisoner for three days, beaten savagely during that time and refused food.

She managed to escape from the room Tuesday, a bellboy saw her, secreted her in another room and notified the house detective who called police, Clay related.

Clay said Dr. Elam, whose wife resides near Calhoun Falls, told him he and the young woman had lived together for the past two years. Clay said the physician had been named as the father of one of her three children.

The two came to Atlanta to meet a nurse formerly of South Carolina and now residing in Texas who also was named as a former girl friend of the physician, Clay related.

Clay said the young woman told him the physician beat her before leaving South Carolina and while en route to Atlanta constantly jabbed her with an elbow.

At one point in the hotel room ordeal, she was quoted, she was on her hands and knees on the floor, he got on the bed and jumped on her.

Clay said he was told she had been slugged with fists, kicked, stomped and jabbed with hypodermic needles.

The physician, in his statement, was quoted:

"I beat her, beat her and beat her within an inch of her life and every time she told me a lie I beat her some more."

Clay said the physician also described giving the woman hypo injections and listing as his reason: "She was unfaithful."

Police said Dr. Elam, a native of Sparta, Ga., told them he was barred from medical practice in Florida in 1952 and had twice been admitted to the Milledgeville hospital.

A sanity hearing was held Wednesday, Clay said, and the board ruled Dr. Elam sane.

13 1961

IDAHO



ROBERT OLIVER MILLER
Protested Chores

Boy Sniper's Idaho Spree Wounds Two

CALDWELL, Idaho (AP) — A mysterious sniper terrorized the W. K. Miller farm family and critically wounded two police officers Saturday night. An intense manhunt Sunday morning was futile.

Then the Miller boy, Robert, 13, broke down and said it was he.

"He said he just wanted to shoot the gun," his father told newsmen afterwards. "He said he wasn't shooting at anybody."

Critically wounded were Caldwell Police Chief Keith Judd and Deputy Sheriff Mel States of nearby Boise.

Bobby said he had taken the 22 caliber rifle from a neighbor last week.

NEVER ANY TROUBLE

"I never let him have a .22," his father said. "I told him when he got big enough he'd get one."

"He never seemed to have any trouble with anyone," his father said. "He was just like any teenage boy."

Mrs. Miller, Bobby's stepmother, said Bobby is an emotional type youngster. The thing Bill and I can't understand is why he did it.

"He said it was nothing we said or did. He didn't mean to hit anybody. He must have thought he was shooting over their heads."

She said Bobby went to bed last Thursday and said he thought he'd seen someone on the hill. She looked out but didn't see anything. "Just a few seconds later I heard a shot. Bobby hollared down for me to come up quick. He showed me where the bullet came in and went just a foot or so over his head."

CALLED SHERIFF

She called the sheriff. Deputies investigated but she said they apparently considered it a childish prank.

The next day there were bullet holes in Miller's car and trailer house. Saturday night he phoned police that a mystery sniper had been shooting at the house.

Judd and Deputy Sheriff States were looking at the trailer, their backs to the house, when both were shot—Judd in the back and States in the back of the neck.

Two score or more officers surrounded the adjoining field and called for reinforcements.

At dawn Sunday the posse, with the help of an Army tank and an airplane, searched the field but could find nothing.

Canyon County Sheriff Dale Haile became suspicious because the shots seemed to have been fired from the direction of the house. He searched Bobby's room and found a 22 caliber rifle hidden between mattresses.

JUDGE REVEALS WHY HE DIDN' FREE 3 EARLIER

Acted to Avoid Any Racial Bias

Judge Joseph Sam Perry of federal District court explained yesterday why he freed three Chicago detectives in a narcotics trial on March 18 while the jury was deliberating a verdict.

His action was protested by Thomas H. Lueck, 29, of 8825 Davis av., Des Plaines, the jury foreman, in a letter Lueck mailed last week to President Kennedy.

Defendants Negroes

Pointing out that the detectives—Sheldon Teller, Miles Cooperman, and Richard Aus—are white and that seven



Judge Perry (left) and Judge Campbell.

others tried with them are Negroes, Judge Perry said:

"I felt that I would prejudice the jury against the other defendants if I acquitted the three police officers before the jury began its deliberations."

He said the jury might have concluded that he believed the seven other defendants in the trial were guilty, as charged, of conspiracy to violate the narcotics law.

Another factor in his decision to let the case go to the jury before acting on motions for acquittal of the detectives was the possibility he might be considered racially prejudiced, the judge said.

Overruled on Deerfield

"I was involved in the Deerfield case and was overruled by the Court of Appeals," he said. "I have been accused of discrimination because I speak with a southern accent, but I bend over backwards to avoid discrimination. I did that in this case."

In the Deerfield case, Judge Perry ruled that Deerfield officials were within their rights in condemning land for park purposes after attempts had been made to start an integrated housing development on the site.

The ruling avoided the issue of civil rights, but when the appeals court remanded the case for a new trial it asked Judge Perry to hear the civil rights issue.

Educated in Alabama

Judge Perry comes naturally by his southern accent. He was born in 1896 in Alabama, where he began working in coal mines when he was 14 and taught country school before he was graduated from high school. He served in the navy in World War I and later worked his way thru the University of Alabama, where he was graduated with honors.

Judge Perry also defended the deputy United States marshals who serve as bailiffs in his court.

Lueck's statement charged that the bailiffs wanted to stay in the jury room "longer than necessary to share our coffee" on the morning on March 18.

Of Lueck's charge that the judge entered the jury room to wish the jurors a "gooo morning" and advise them to turn in sealed verdicts when they reached decisions Judge Perry said he stood in the doorway and never entered the room.

Defended by Campbell

Judge William J. Campbell, chief judge of federal District court here, said he was sure that "Judge Perry followed his conscience and his knowledge of the law." He said Lueck was "understandably weak in his knowledge of law."

A spokesman for the justice department in Washington said that Atty. Gen. Robert F. Kennedy has not yet received the letter Lueck wrote to the President and that any investigation of the case probably would not come until after Easter.

Kin of alleged policy king freed by police

EVANSTON, Ill. — Four brothers of an alleged policy kingpin of Evanston were found not guilty in Municipal Court last week on a charge of conspiracy to thwart justice.

They are Clyde Perrin, 44; John, 37; Robert, 31; and Dean, 27, brothers of Eugene T. (Jack) Perrin, a former member of the Evanston police force who quit in 1950.

Jack Perrin, 47, and his brothers were seized in raids which were carried out simultaneously at four different locations in this Chicago suburb which is the home of Northwestern university.

At that time, the Bureau of Internal Revenue moved to inspect records found in a safe seized in the raid. In addition to records showing Perrin's financial transactions that run high into the thousands, police also discovered information which led to raids on four Chicago policy wheels believed to be tied in with Perrin's operations here.

Perrin, a popular figure in Chicago and suburban cafe society, also owns and operates a number of legitimate enterprises.

Dr. Howard Indicted In Connection With Ring

CHICAGO — (ANP) — Dr. T. R. M. Howard, former president of the National Medical Association and one-time GOP candidate for Rep. William Dawson's Congressional seat, was indicted here last week in connection with a $100,000 fake accident ring.

Howard who came to national attention several years ago as leader of a militant civil rights group in Mississippi has been operating a private medical clinic in Chicago since fleeing the South when whites applied an economic squeeze to crush the movement for integration.

The physician was indicted along with six lawyers, another doctor, a former insurance adjuster, and nine other persons charged by the grand jury as members of a fake accident ring.

It was reported the ring had collected about $20,000 in settlement of fake accident claims from insurance companies, and has still pending approximately $100,000 in fake claims.

OTHERS NAMED

Both Negroes and whites were named as members of the ring.

Others indicted for conspiracy are Kenneth J. Brundage, Leo E. Holt, Chester L. Blair, Harry P. Hutul, Harold C. Nesselson, and Earl J. Taylor, all attorneys; Dr. Marvin D. Moss, and Herbert E. Cleveland, a former adjuster for the United States Fidelity and Guarantee Insurance company. Brundage formerly was supervisor of adjusters for the company. It reportedly was one of four insurance companies victimized in the scheme.

The other persons who allegedly were "victims" of the fake accidents were named in true bills as co-conspirators.

Investigators reportedly discovered that in one accident for which damages were claimed there was no collision of two cars as was contended, and that one of the claimants for fake damages had a doctor send him a bill for $125 even though the doctor had never seen him.

COMPANIES LISTED

The three other companies reportedly victimized by the ring are the Notrhwestern Casualty Insurance company, Home Indemnity Insurance company, and Cosmopolitan Insurance company.

While the grand jury was hearing evidence, state's attorney's investigators were arresting two persons as leaders of a fake accident ring said to be operating in Illinois, Wisconsin, Indiana, and Ohio.

Those arrested were LeRoy Anderson, who weighs 250 pounds and is known as Big Red, and his wife Beulah, who weighs 350 pounds and is known as Big Beulah.

Roswell T. Spencer, chief investigator for the state's attorney said they are named in warrants issued in Milwaukee in connection with a series of fake auto accident claims there. Spencer said the gang deliberately caused 100 accidents, including 15 in Chicago.

Their favorite method of operation, he said, was to get a crowd of persons in a car and drive until they found a vehicle that bore a windshield sticker of an insurance company.

Then they allegedly would get in front of that car and stop suddenly to cause a rear end collision. Afterward, said Spencer, all the persons in the first car would claim back and head injuries.

Spencer said he was informed by insurance companies the gang had collected $100,000 in claims on fake accidents.

18 Indicted In Chi Fake Accident Ring

Dr. Howard listed by grand jury

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INDICTED: Dr. T. R. M. Howard, whose residence at the all-Negro town of Mound Bayou was a show-place of the state, who has been indicted in Chicago in connection with a fake accident ring.

Howard Denies Racket Charges

By ADOLPH J. SLAUGHTER

A number of prominent Chicagoans, both Negro and white, are currently under investigation for their alleged participation in a $1,000,000 fake auto accident ring which already has ensnared Dr. T. R. M. Howard and Dr. Chauncey L. Morton, two of the city's most distinguished doctors.

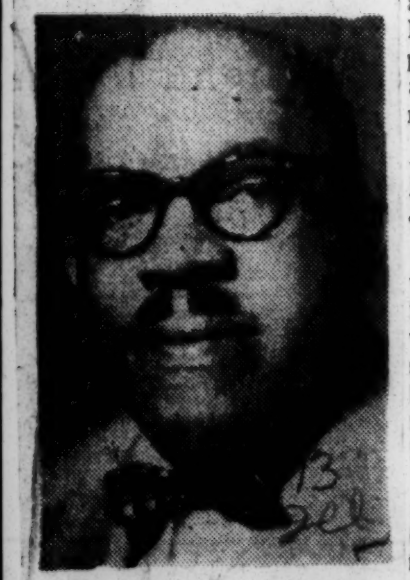
This information was revealed Friday by Asst. State's Atty. Mitchell Edelson, in charge of the investigations, who refused to name the persons currently under scrutiny.

Edelson said he expected to have the charges against these other persons ready for grand jury action by January, but that he did not know if indictments would be sought against all of them.

RIGHTS FIGHTER

Meanwhile, Dr. Howard who was the unsuccessful Republican candidate for Congress against William L. Dawson in 1958 and who was a noted surgeon and civil rights fighter in his native state of Mississippi, is scheduled to go on trial on charges of conspiracy to cheat and defraud insurance companies, Jan. 22.

Howard was named in five of nine indictments released by the State's Attorney's office Tuesday. A total of 44 persons were also named and arraigned before Criminal Court Chief Justice Joseph J. Drucker, Tuesday and Wednesday.



DR. T. R. M. HOWARD

Dr. Morton, whose office is at 200 E. 75th st., was named in one of the indictments

The surgeon, contacted at his office at 555 E. 63rd st., categorically denied the charges of the State's Attorney and declared that the charges were ridiculous and would be proven so in court.

He said he has never knowingly treated any patient who was involved in a fake accident.

"But when a man comes into my office and complains of head, back and internal injuries, I defy any doctor to prove that these injuries do not exist"

Dr. Howard said he has been practising nearly 30 years and that he works 15 and 16 hours a day.

"If any person thinks that at my age (53) that I would lend myself to a ring of people involved in anything such as this, they're out of their mind."

Howard came to Chicago in 1956 from Mound Bayou, Miss. where he practised for 20 years

TWO POLICEMEN

Two policemen of the Englewood police district, and the father of one of the officers were also named in the multiple count charges. The officers are Earl Reid, of 6843 S. Champlain and James Watkins, of 4417 S. Shields.

Reid's father, George, owner of a tinsmith shop at 4317 S. Cottage Grove ave., was also named.

The three, according to the State's Attorney, were indicted for a legitimate accident involving Watkins which occurred in front of the Englewood District station March 15, 1960. Officer Reid is reported to have persuaded Watkins to include him as one of those injured in the accident and to list his occupation as a salesman.

Reid later reportedly went to Dr. Howard to get a prognosis of a non-existent injury and have the doctor state also that the injuries entitled him to three weeks disability.

Reid's father was brought into the act, according to the records, when the officer persuaded the father to list him as one of his employees at a salary of $160 per week. When this was completed, a $10,000 claim was filed against the insurance company, the report stated.

SELLS REPORTS

In other cases, Dr. Howard is accused of selling medical report blank forms at $35 per $100 claimed by the alleged victims.

Another Southsider indicted was John W Haney, sr., owner of a garage and repair shop at 6107 S. Prairie ave. The State's Attorney said that on occasion cars involved in fake accidents but which were not sufficiently damaged, were taken to Haney's garage and smashed in places to augment the damage and the amount of the claim sought.

Trial date in another conspiracy suit charging fraud of insurance companies involving Dr. Howard and members of the ring through which he is alleged to have operated, was continued Wednesday until Feb. 5, before Criminal Court Judge Alexander Napoli.

Still other cases involving Howard were set for March 5 1962, before Judge Napoli.

Noted medic says he did no wrong

CHICAGO (ANP) — Two prominent doctors, one of whom is a former president of the National Medical Association, have been linked with a million dollar fake accident ring here.

Dr. Theodore Roosevelt M. Howard, who was the unsuccessful candidate for Congress against William L. Dawson, Illinois Democrat of the First Congressional district in 1958, and Dr. Chauncey L. Morton, are the two doctors charged in suppressed indictments with conspiracy to cheat and defraud.

A lawyer, two suspended policemen, a former city and county employee, a former insurance adjuster, a liquor retailer, a jeweler and an auto repair garage operator were also among those accused, Asst. State's Atty. Mitchell Edelson Jr., announced. The number of defendants totals 44 in all.

* * *

DR. HOWARD, who was a noted surgeon in his native Mississippi before coming to Chicago, was released on $2,000 bond. He came here from Mound Bayou, Miss., in 1956. Dr. Morton was released on $2,500 bond.

Harry P. Hutel, the attorney charged in the case, has offices in downtown Chicago.

Trials for 26 of the 44 persons indicted were set when 19 of them were arraigned before the Chief Justice Joseph J. Drucker in Criminal Court. The 44, including Howard, Morton and Hutel, were indicted after a year long investigation by insurance agents and the state's attorney's office. The indictments returned two weeks ago were suppressed to give police time to arrest the defendants. Other indictments are anticipated.

* * *

JUDGE DRUCKER assigned trial for 19 of the defendants to Judge John S. Boyle, who set Dec. 13, for hearing motions, and Jan. 22 as trial date.

A number of prominent Chicagoans of both races, are currently under investigation for their alleged participation in what the State's Attorney's office described as two fake million dollar accident rackets.

Dr. Howard, contacted by a reporter at his Southside office, categorically denied the charges of the State's Attorney and declared that the charges were ridiculous and would be proven so in court.

He said he has never knowingly treated any patient who was involved in a fake accident.

"But when a man comes in to my office and complains of head, back and internal injuries, I defy any doctor to prove that these injuries do not exist."

* * *

DR. HOWARD said he has been practicing medicine nearly 30 years and that he works 15 and 16 hours a day.

"If any person thinks that at my age (53) that I would lend myself to a ring of people involved in anything such as this, they're out of their mind," Dr. Howard declared.

Dr. Howard was named in five of nine indictments released by the State's Attorney's office.

Earl Reid and James Watkins, the two policemen charged, both of the Englewood District, and Reid's father, George, owner of a tinsmith shop on the Southside, were also named in the multiple count charges.

The three, according to the State's Attorney, were indicted for a legitimate accident involving Watkins which occurred in front of the Englewood District station March 15, 1960. Officer Reid is reported to have persuaded Watkins to include him as one of those injured in the accident and to list the occupation as a salesman.

* * *

REID LATER reportedly went to Dr. Howard to get a prognosis of a non-existent injury and have the doctor state also that the injuries entitled him to three weeks disability according to charges.

Reid's father was brought into the act, according to the records, when the officer persuaded the father to list him as one of his employees at a salary of $160 per week. When this was completed, a $10,000 claim was filed against the insurance company, the report stated.

Another Southsider indicted was John W. Haney Sr., owner of a garage and repair shop. The State's Attorney said that on occasion, cars involved in fake accidents, but were not sufficiently damaged, were taken to Haney's garage and smashed in places to augment the damage and the amount of the claim sought.

* * *

IN OTHER CASES, Dr. Howard is accused of selling medical report blank forms at $35 per $100 claimed by the alleged victims.

Trial date in another conspiracy suit charging fraud of insurance companies involving Dr. Howard and members of the ring through which he is alleged to have operated, was continued last week until Feb. 5, before Criminal Court Judge Alexander Napoli.

Still other cases involving Howard were set for March 5, before Napoli.

Howard, the two policemen and the lawyer and six others last week pleaded not guilty to the charges of conspiracy. Judge Drucker allowed them to remain free on bond.

OCTOBER

DYNAMITING

13 1961

WITNESS SLAIN AS BOMB FAILS

The Times-Herald

Head of Union Local Is Victim in Chicago

Sat 10-21-61

CHICAGO (AP) — John Kilpatrick, 55, president of an Industrial Workers union local and prime witness against a convicted labor leader, was shot to death Friday after an attempt to bomb his car failed. P. 3

Kilpatrick's body was found slumped in the front seat of his car, parked in a Southwest Side alley. There was one bullet hole in his head.

A dynamite charge was found connected to the engine, wired to explode when the starter was switched on.

Kilpatrick was associated with Angelo Inciso in the United Industrial Workers union, Local 286. The two had a falling out, and Kilpatrick set up Local 300. Inciso subsequently was convicted of milking the union's welfare funds. His conviction is being appealed. Kilpatrick was a key witness in the trial.

Incisco was picked up by police several hours after Kilpatrick's body was found. He was held without charge for questioning.

In Washington, Atty. Gen. Robert F. Kennedy said the justice department would study the shooting to determine if there was any violation of federal law. He said the department would work "in every way possible" with Chicago authorities in the case.

Crime laboratory experts said the wiring of two dynamite sticks to Kilpatrick's car was "very professional." Both sticks had detonators, one wired to the voltage regulator and the other grounded on the body frame.

Police said the dynamite appeared defective. They theorized that Kilpatrick's killers waited impatiently nearby while their victims sat in the car. Munching a sandwich.

When he failed to start the car, one of them killed him with a bullet, fired through the left front window at close range.

ILLINOIS

Dynamite-Wired Auto Fails to Explode

The Times-Herald Sat 10-21-61



—AP WIREPHOTO.

LIGHT-COLORED WIRES under the hood of the car of John Kilpatrick, head of Local 300 of the United Industrial Workers of Chicago, connected dynamite to the voltage regulator. Kilpatrick was found shot to death on front seat of car and Chicago police theorized that persons who rigged the bomb killed him when it failed to explode as Kilpatrick started the car. Kilpatrick was a key witness in the conviction of Angelo Inciso, a former associate, who was found guilty of milking the union's welfare fund.

13 1961

IOWA

Boy, 9, Suspended, Says Principal 'Banged My Head Up Against Bookcase'

A Des Moines school principal will appear in court Friday afternoon on an assault and battery charge filed by the mother of a nine year old boy.

Accused is Melvin E. Rexroat, 33, in his firsty ear as principal of Bird school. Pointing the finger of accusation is Mrs. Kathryn Mosby, 942 16th Street, mother of La Mar Brandt, 9. The warrant for Rexroat's arrest was issued last Friday



La Mar Brandt
Accuses Principal

after Mrs. Mosby complained to Assistant County Attorney Jerry Williams that the boy had suffered head injuries while being disciplined by the principal.

Rexroat, who lives at 3108 Bel Air Road, spent less than an hour in jail before he was released on $100 bond, set by Municipal Judge Luther T. Glanton. Hearing will be 1:30 p.m. Friday. Rexroat has refused comment on the incident which took place Wednesday, Jan. 18.

Boy's Story

La Mar's version of the disciplinary action, as told to the assistant county attorney, was that another boy in his class struck him, and the teacher, Mrs. Erma McKinnon of 5623 Brattleboro Ave., took both boys to the principal's office.

La Mar said that when he told Principal Rexroat "Bobby (the other boy) started it," the principal declared "you better listen to this boy," grabbed La Mar and "banged my head against the bookcase."

Slapped Face

The boy said he told the principal, "I'm going to tell my mother," and that Rexroat then "picked me up and threw me in a chair and slapped my face."

La Mar said he was "scared and ran" out of the principal's office, and without coat or hat, ran to the home of a relative at 819 Ninth St., several blocks from the school at Harding Road and Woodland Avenue. Mrs. Mosby was there. She said she took La Mar in a taxi cab to the school.

"I was mad," she said Friday. "I told that man 'I came to fight,' and I said 'I guess you're going to say you didn't do it."

She quoted Rexroat as saying "Yes, I did, but let me explain.'" Mrs. Mosby said she warned the principal to "Pick on some one your size; pick on me!"

She said she pushed the school principal. After he told her he "couldn't talk with me," she said she left, and took her son to a doctor. He suggested an X-ray to determine if La Mar had suffered any head injury, and one was made at Broadlawns Polk County Hospital.

Mrs. Mosby said the X-ray revealed no skull injury.

The mother said she reported the incident to Superintendent Harris before filing the complaint in municipal court.

Suspended

She received a notice Friday from the pupil adjustment saying La Mar was suspended from school "for disregard for school regulations." The notice said the suspension also was for the pupil's "sassing, defensive unco-operative attitude and the actions of Mrs. Mosby in creating a public nuisance and showing a completely unco-operative attitude toward the school."

The notice, signed by Mrs. Van Meter, said she was "requiring that readmission of Le Mar be through the department of pupil adjustment, and I do not feel that with the mother's attitude and the boy's actions I can accept his readmission to Bird School."

Another Son

"I don't mind correction for a pupil, but this is a case of brutality," Mrs. Mosby said.

Mrs. Mosby revealed that another son, Harry, 12, recently was suspended for disciplinary reasons from Whittier school, E. Fourteenth Street and Washington Avenue.

'Fellow in dark has to have something'

INDIANAPOLIS (ANP) — Ray Charles, famous jazz singer and pianist, related a touching story of how he acquired the dope habit during a hearing on narcotics violation in Municipal Court here last week.

The 31-year-old blind singer told Judge Ernie S. Burke that a rigorous schedule which often finds him racing to distant cities to fill recording and stage engagements and his sightlessness contributed directly to his becoming a dope addict.

"The daily grind gets to be too much," he lamented, adding, "a fellow who lives in the dark has to have something." Dope, he explained, was his only source of enjoyment.

Charles, one of the most popular, wealthier and sought after entertainers in show business, was arraigned in court here Wednesday (Nov. 15) after his arrest the previous date in the downtown Sheraton-Lincoln. He was later freed on $1,000 bond, after his case was continued to Jan. 4.

* * *

CHARLES WAS arrested on a tip from an informer. Police swopped down on his hotel room and found a cache of narcotics, including a jar of marijuana, a syringe, 10 empty geltin capsules and a residue of heroin. Police refused to disclose the source of their information or the name of the informer. It is believed they fear the reaction of the singer's thousands of fans.

These fans were in full force at the trial Wednesday, jostling with newsmen, newsreel and television men, and with police. There was a general scene of bedlam in the hallway leading to the courtroom, before Judge Burks threatened to take action.

Charles himself refused to speak to newsmen on the advise of his attorney. "I don't feel up to answering any questions about my life or this event," he said as he left the court.

HOWEVER, Detective Sgt. William Owen, one of the officers who made the arrest, said Charles admitted he has used dope since he was 16. He said the singer had one of the worst pair of "tracks" (arms) he has ever seen. His arms, Owens explained, were punctured in several places from excess use of needles.

Owens also offered the opinion that the arrest may be best for Charles, who otherwise might not have sought cure. The officer remarked guardedly:

"We don't want to hurt Ray, but he admitted himself that he needs help. I mean this would be the best for him, because otherwise he would not submit to the cure. Even now he may not do so."

CHARLES WAS charged here with violating the 1935 narcotics act.

Charles was arrested five years ago in New York on a narcotics charge but drew a suspended sentence.

Last July, he was arrested in Chicago on the same charge when police raided his hotel room during his engagement at the Regal Theatre. However, Narcotics Court Judge William M. Barth granted a motion to suppress the evidence after arresting detectives admitted they had no search warrant.

* * *

CHARLES CAME here with his troupe of 20 from Anderson, Ind., where he had just closed an engagement. He reportedly brought the heroin with him from Anderson, but bought the marijuana here.

Meanwhile, there were inquiries about his arrest from as far as Paris, France. People kept calling and asking for details concerning the case, police said.

Charles is one of the most successful recording artists in the business. His record of "Sweet Georgia Brown" sold close to a million copies, and other bits hit such as "hit the Road Jack," and the album, "The Genius of Ray Charles" for Impulse Records, did just as well.

He earns $25.000 a week.



IN COURT — Singer - pianist Ray Charles, right, talks with his attorney, Dave Lewis, as he appeared in Municipal Court in Indianapolis, Ind., on a narcotics charge last week. His trial is set for January 4. Charles was arrested Nov. 14 after narcotics squad detectives raided his Indianapolis hotel room. Officers said they found 10 empty gelatin capsules containing a residue of heroin, a hypodermic syringe, and a cold cream jar full of marijuana.

13 1961

KANSAS

Police Probe Assault By Negro Youth Mob

KANSAS CITY, Kan., June 30 (AP) — A full - scale investigation is under way into an assault by Negro youths swinging ball bats and clubs at a baseball game here last night.

Seven youths and a juvenile, all Negroes, were held.

Four white men were hospitalized and one, McPherson A. Horner, was in critical condition.

Screaming women and children were terrorized as three carloads of Negro youths charged onto the field during a practice game between two white teams in the 16-17 year age bracket.

As the investigation started, detectives arrested seven youths and a juvenile and were given the names of nine others who allegedly participated in the attack.

One of those arrested, Elwood M. Armstrong, 19, said in a signed statement, according to police, "We were drinking beer and wine and decided to go to the baseball park and start a fight."

He said one of the group mentioned between drinks of wine and beer that a Negro boy had been beaten up by a white boy, but that they had not verified the report. Police said they had no record of the case.

About 100 spectators were watching the game when the melee started.

A woman said one member of the invaders raised a ball bat menancingly toward her. Her husband picked up a lawn chair and the youth struck the chair, shattering it.

Sickening Brutality

"It was one of the most frightening experiences I ever had," said another woman spectator. "It was sickening because of the brutality of it."

Officials said the game earlier had been interrupted several times by Negro youths who pulled a switch, turning out the lights. They had been chased away by team officials and players but were not harmed.

The fray lasted only about five minutes and the youths had left the park before police arrived.

Horner, manager of one of the teams in the game, and Charles Rollins, 36, both underwent surgery today for injuries suffered in the outbreak. Horner suffered a multiple skull fracture and Rollins a fracture.

Bonds Fixed At $25,000 For Negroes After Assault

KANSAS CITY, Kan. (AP) — Bonds of $25,000 each have been fixed for eight Negro youths accused of a mass assault with clubs and bats at a baseball park.

They are charged with assault with intent to kill. Players and spectators were clubbed and otherwise injured at Rosedale Park last Thursday.

Still in critical condition was McPherson A. Horner, a boys' baseball coach whose skull was fractured with a baseball bat. Two other men, who also suffered head injuries, are in fair condition.

As the eight Negroes stood before him handcuffed in pairs, City Judge William J. Burns set the high bonds and fixed July 21 for preliminary hearing. Unable to make bonds, all defendants were taken to the county jail.

The eight, all of Kansas City, Kan., are Willie Daniel Warren, Merle Donald Herman, 17; Dessie Davis, 17; Fred Smith Jr., 16; Bennie Louis Slayton, 17; William Jay Daniels, 18; Robert Dan Sharp, 16, and Elwood Michael Armstrong, 16.

Robert J. Foster, Wyandotte County attorney, said the warrant will be amended to include Leon Hebert Caldwell.

Kansas City Probes Negro Assault At White Ball Game

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One of those arrested, Elwood M. Armstrong, 19, said in a signed statement, according to police, that, "We were drinking beer and wine and decided to go to the baseball park and start a fight."

He said one of the group mentioned between drinks of wine and beer that a Negro boy had been beaten up by a white boy, but that they had not verified the report. Police said they had no record of the case.

Detective Cordell White Jr. said the attack was not the result of racial tension.

FULL OF 'SWEET LUCY'

"That bunch was full of 'sweet Lucy'" (wine), White said. "They were aching for a fight and chose the park because it provided a battlefield for them."

About 100 spectators were watching the game when the melee started.

The fray lasted only about five minutes and the youths had left the park before police arrived.

Horner, manager of one of the teams in the game, and Charles Rollins, 36, both underwent surgery Friday for injuries suffered in the outbreak.

Horner suffered a multiple skull fracture and Rollins a fracture.

13 1961

KANSAS

Daughter Help Men Rob Mom?

The Miami Herald
Miami, Fla.
Jun 1 22-61

KANSAS CITY, Kan. (AP) — A 17-year-old girl helped two young men rob her mother of $8,000, one of the men told police Saturday.

Mrs. Kate Gindulis, 38, was robbed of her life's savings by two men who invaded her home, bound and gagged her and ransacked the house until they found the money hidden in a suitcase.

Linda Gindulis and William G. Phipps, 19, also of Kansas City, were arrested later in Tulsa, Okla., where police said Phipps was "spending money like it was going out of style."

Austin C. Shannon, 22, was arrested here and admitted taking part in the holdup, Lt. Donald Adams said.

Adams quoted Shannon as saying Linda helped paint Shannon's and Phipps' faces with rouge and lipstick so they wouldn't be recognized.

At Shannon's home officers found a vanity case stuffed with small bills and silver dollars, and jars full of small change. A preliminary count came to $3,347.

Dan Phillips, captain of detectives in Tulsa, said Phipps had bought a car with a $1,000 bill and had spent $700 on clothing and other items. A clerk in a store where Phipps had spent $400 called police after he saw the boy's roll of bills with a $500 bill on top.

Phillips said $493 was found on Phipps and the girl, and they had airline tickets for New Orleans by way of Tulsa.

Mrs. Gindulis refused to believe her daughter was implicated in the robbery. She said Linda probably had run away to Tulsa to get married.

Mrs. Gindulis said she had saved the money to buy a house. She moved here two years ago from Omaha, where her husband is still employed.

13 1961

Male Student Remains On Serious List

Edwin Sloan, who was hospitalized last week following a beating inflicted by two white youths inside Male High School, remains in serious condition at Red Cross Hospital with an eye injury.

Although his general physical condition has improved, doctors said that the injury to his right eye remained critical. The hospital described the condition of the eye as "fair."

Sloan, 17, a senior at the Brook and E. Breckinridge school, was beaten in the hallway of the school outside of class. The altercation was caused by an alleged valentine ent to a girl friend of one of his attackers.

Sloan, of 2639 Grand, the girl involved and one of the white boys were suspended from the school by principal W. S. Milburn. No explanation was given why the second youth in the attack was not expelled also.

Doctors had prepared to operate on the youth eye last Thursday but decided on a delay because of bleeding in the black of the eye. Pat Sloan, step-father of the youth, said that the eye may have improved enough so that the operation may not be necessary.

A delegaion of parents of Male students led by the Rev. E. Deedom Alston, Rector of Our Merciful Saviour Epsicopal Church, held a meeting with Superintendent Schools Samuel V. Noe on the problem at the school last Thursday.

Noe said afterwards that the parents were much concerned with the incidents between the Negro and white youths at the school. He said that it was primarily a concern for Male High authorities. Noe added that Milburn had been instructed to report to the board if the problem could not be handled at that level.

Negro students at the school saiu the trouble was cause by a group of 25 to 30 white students. They maintained that relations with he majority of white youths were cordial.

At the height of the unrest at the school, policemen were stationed outside he premises. Detectives were also stationed inside of the institution.

KENTUCKY

Warren Jury May Study Dynamitings Again Today

Final Report Due; More Indictments Possible; 3 Implicated Earlier Arrested

Courier-Journal South Kentucky Bureau

Bowling Green, Ky., Sept. 21. — The Warren County grand jury spent much of Thursday on routine cases but may take up its investigation of dynamitings again when it reconvenes Friday.

Indications were the panel will submit its final report and perhaps more indictments in the nine bomb plantings here since last October.

There were reports some witnesses sought for questioning Thursday may be heard Friday.

Three men indicted Wednesday were arrested. George Allen and Willis Alford posted bonds of $5,000 each.

Pleads Innocent

Joe Steenbergen, 24, jailed in default of $5,000 bond, pleaded innocent when arraigned Thursday. He is charged with causing the explosion that wrecked Toby's Place, a Main Street tavern, August 5.

He also is charged with Allen and Alford with banding and confederating together to get off that explosion.

A third indictment charges Allen, 30, and Alford, a 34-year-old former City policeman now operating a retail beer outlet, with banding and confederating to set off a dynamite bomb i nthe automobile of William Gilchrist August 7. That bomb failed to explode.

Another Indicted

The present grand jury also has indicted Layman Pruitt, 31, on a charge of falsely swearing he did not leave the scene of the dynamiting of Toby's Place with Allen.

None is scheduled for trial at this term of Warren Circuit Court, which must end this week.

Billy H. Graham, 32, Edmonson County, the only other person charged in the blasts, was scheduled for trial Thursday, but a lengthy murder hearing has made it doubtful he will be tried during the term.

Seeks Continuance

His attorney seeks a continuance and a change of venue.

Commonwealth's Attorney Morris Lowe said he will urge the court Friday to try the case at this term.

Graham was arrested last October 15, shortly after the Siddens Music Company, a pinball distributor, was dynamited. He was charged with setting off the explosion.

The dynamitings started shortly after Bowling Green voted to end 2½ years of prohibition. Most of the targets have been connected with the beer, liquor, or pinball business.

Judge John B. Rodes instructed the 12-man grand jury to make a thorough investigation of the bombings. He granted the panel extra time for the probe, but it must complete its work by the time court adjourns.

Dynamite-Conspiracy Hearing Is Continued

Witness Against Warren Father And Son Fails To Appear; Case Reset For Tuesday

By TOM DUNCAN

Courier-Journal South Kentucky Bureau

Bowling Green, Ky., Oct. 6.—Examining trial for a father and son accused of conspiring to dynamite a pinball distributor's office was continued Friday when the prosecution was unable to produce a witness against them.

County Judge John Milliken continued the case against Selva Wright, 52, and his son, Bobby, 28, until 9 a.m. Tuesday after both pleaded innocent.

Son's Bond Reduced

He reduced the son's bond from $25,000 to $7,500 at the request of defense attorney Hugh Hollingsworth, Russellville.

Hollingsworth made no request for reduction of the $25,000 bond set for Selva Wright, a convicted former moonshiner.

Neither posted bond immediately.

The bonds, highest in memory here, were set when the Wrights, both of Alvaton Route 1, were charged Wednesday with conspiring to dynamite Siddens Music Company last October 15.

'Plotting' Is Told

The affidavit on the warrant asserts that Everett Hardcastle heard the Wrights "plotting together with others to commit said felony and did make said statement in the presence of Bobby Wright, which was not denied, and which was not denied by Selva Wright when confronted with same."

Hardcastle, 29, did not appear when called in court.

Commonwealth's Detective Harold Ricketts, who swore to the affidavit, said Hardcastle had disappeared. Later investigators said they believe he will be available Tuesday.

Body Found In Creek

Billie H. Graham was indicted in January on charges of setting off the Siddens explosion

Graham, 32, was slain before facing trial. His body, beaten and shot in the head, was found in a creek near here September 26.

The slaying touched off an intensive investigation which reached back into the series of nine dynamitings or attempted dynamitings here since last October.

Most were aimed at those connected with the beer, liquor, or pinball businesses.

No charges have been filed in Graham's death.

Police Seek Man Who Shot Airman In La.

NEW ORLEANS — (ANP) — Police here were searching for an unidentified white person who fired several shots from a moving auto on a New Orleans street, wounding a Negro in both legs.

Walter Reddick, 22, an airman apprentice stationed at Memphis, Tenn., told Fifth District police he was walking with his wife when the shots were fired.

Two of the bullets struck Reddick, one in each leg. His wife was uninjured.

The young airman was taken to a hospital in a private automobile.

100 Negroes Force Police To Get Help

NEW ORLEANS, La. (UPI) — Police called in emergency reinforcements Saturday when about 100 Negroes gathered around four officers arresting a 19-year-old Negro girl.

The officers said they were in the Negro neighborhood to arrest a burglary suspect when the girl, Ruby Carter, attacked them. About 100 Negroes moved toward the officers as she screamed, "come on, let's jump the cops."

Police said she fought and used abusive language. When the officers asked her to leave and she refused, she was arrested and handcuffed.

The crowd of Negroes around the patrol car reportedly grew surly and reinforcements were called in before the arresting officers could leave the scene.

The girl was charged with attempting to incite a riot, resisting arrest and using abusive language.

Man Who Shot Four Negroes Is Exonerated

MONROE, La. (AP) — The Ouachita Parish grand jury has exonerated Robert Fuller who killed four of five Negro employes he said were preparing to attack him. But it indicted the fifth man, Charlie Willis, on charges of attempted murder.

Fuller, 38-year-old septic tank operator, had been charged with manslaughter in the July 13 shooting at his home near here. He pleaded self-defense.

Fuller said the five approached him, brandishing knives, after an argument the previous day. Fuller killed Albert Pitts, David Lee Pitts, Marshall Alfred Johnson and Ernest McFarland.

Willis was critically wounded but has recovered.

Police said they found knives at the scene.

Judge Fines 4 Youths For Neighborhood 'Loitering'

Do local policemen and judges know anything about this thing called "peaceful assembly" which is mentioned in the Constitution of the United States? Does it exist in New Orleans?

Well, this is what happened on Jan. 14 in the Crescent City, believe it or not!

Six Negro youths, four of them students, and four residing in the same block were standing in front of one of their homes when two policemen passed and placed them under arrest.

The charge was not "disturbing the peace" but "vagrancy by loitering", despite the fact that the boys were near their homes, were students and could even prove they were employed.

Arrested at "8:50 p. m., in the 1900 - Block of Washington Avenue", according to the records were: Lawrence Despenza, 17, 1921 Washington, a high school student; Thomas Clark, 20, 1729 Third, a restaurant worker; LaRue Eugene, 17, 1935 Washington, a trade school student and employee in a cleaning establishment; Roland Craig, 1907 Washington, a high school student; Tommie Lucas, 17, 2014 Magnolia, a grocery store worker; and Huntington H. Dusuau, Jr., 18, 1911 Washington, a high school student and employee of a private family.

According to mothers of two of the youths and the lads themselves, they were standing in front of Dusuau's home talking when they were arrested despite their statements to the officers.

The families of the accused youths were confident they would be exonerated when the facts were made known in Municipal Court on Jan. 16, since the youths had been arrested on a Saturday when there was no school for them to attend and those who were employed had already completed their days work. Then, too, were not four of them in the same block where they lived?

But such was not the case.

Municipal Court Judge Andrew Bucaro, after reviewing the "vagrancy" charge brought by Patrolmen J. Lopinto and F. Peavoy, dismissed the case against Eugene and Lucas, but found the other four guilty and sentenced them to pay a fine of $5 or serve 5 days in jail.

The four paid their fines and left court wondering just what is meant by the "right of peaceful assembly" if one cannot talk with friends in front of his own home.

Fast Co-operation That Stopped Robbery

A small Negro boy, passing Didier's food store on Garfield, saw two characters wielding pistols and forcing a couple of store employes back into the establishment after it had been closed. The lad rushed to tell his mother who telephoned Didier at his home. Didier took off for the store, Mrs. Didier telephoned the police. Patrolmen Knecht and Conlin picked up the report and were at the store in a jiffy.

It was that kind of co-operation that resulted in jailing two men and charging them with robbery and attempted murder; in getting a badly stabbed man promptly to the hospital, and averting a $3600 holdup.

We commend this performance, and particularly the co-operation side, to the attention of citizens in general. The patrolmen did a fast, effective job in going after the robbers. But don't overlook the lad and his mother (unidentified in the police report), except for whose alertness and quick action, the robbery would have come off and the wounded man left to his misery.

that legal action will be instituted in a probe of the death.

CANAL SUICIDE

There was little or no doubt over the reported suicide Tuesday of last week. Dead, when his body was recovered from the Industrial Canal at about 2 p.m. was Elisha Green, 1730 Caffin Avenue. His age was believed to be about 40, according to the coroner's office.

Witnesses said they saw Green jump into the canal from the bridge at Florida Avenue. They said they threw him a life preserver but he refused to catch it. His lifeless body was fished from the canal an hour after he jumped by a police crash truck unit. Illness was believed to be the cause of the suicide.

Persons, who said they were well acquainted with the dead man, said he was the uncle of the two young sisters who left a choir rehearsal at a downtown church to ride to a watery grave in a tragedy involving some five victims a few years ago.

Family Not Satisfied By Police Report

Relatives of Farrell Landry, 21, whom police said they found hanged in a solitary confinement cell in the House of Detention Monday, said they do not believe the report that Landry committed suicide.

According to the police, Landry had drawn a sentence of 20 days in Municipal Court on charges of drunkeness and reviling police. He entered the House of Detention shortly after midnight and was placed in the solitary cell because of his belligerence.

Less than an hour later, at 1:30 a.m., J. Matherene, a prison guard, said he found Landry hanging from an iron bar of the cell's window. A trouser leg was attached to the bar while the other was tied around his neck.

Matherene said he cut Landry's body down and administered artifical respiration.

"TRIED SUICIDE EARLIER"

A Charity Hospital physician pronounced Landry dead fifteen minutes later, the police said.

Officials added that Landry had apparently tried to hang himself earlier by fashioning a noose from a shirt and handkerchief knotted together in the cell.

RELATIVES DISAGREE

Mrs. Sophie C. Young, Landry's sister and another relative, Raymond LeBlanc refused to accept the police's report of their kin's death.

Mrs. Young told The Weekly that her brother who resided at 2219 LaSalle Street, had been picked up on a loitering charge Saturday and was also charged with indecent exposure. There was nothing wrong with him at that time, she said.

However, when he appeared in court at 10 p.m. Monday night bruises showed that he had been beaten about the head since his arrest. Mrs. Young announced

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NOVEMBER

LOUISIANA MUSLIM LEADER

Anarchy charged to Muslim client

Sat 11-18-61

(Special to the AFRO)

MONROE, La. — "I hate so say it but a colored man doesn't have a chance in a courtroom in the South."

Making this statement Saturday to the AFRO was not a militant civil rights attorney, but the lawyer for the Georgia Ku Klux Klan who, strangely enough, is also lawyer for a local Muslim leader and seven followers.

James Venable — whose home property at Stone Mountain, Ga. is a headquarters for Klansmen — represented Troy X (Cade) in the trial last week resulting in his client being convicted of anarchy, advocating the violent overthrow of the government.

Judge Jesse Heard ordered the Muslim leader jailed without bond pending sentencing. Mr. Venable said he would appeal the case on Constitutional grounds.

* * *

LOUISIANA officials claim the Muslims displayed a sign showing a picture of the American flag over the words "slavery, hell and death." The picture showed a Klan cross and a lynching, also.

Troy X still faces a Dec. 8 trial on charges of desecration of the United States flag. Louisiana claims that at Muslim meetings, he displayed the flag of Islam.

After that, Troy X and seven followers, including his wife, will be tried for assault and battery and breach of peace. The trial date has not been set.

The leader could get up to 10 years at hard labor on the anarchy charge; could get ten more years on the desecration charge plus additional time for the other charges.

* * *

MR. VENABLE, who was retained by Atlanta Muslims to defend the Monroe, La. leader, said he was being paid from the headquarters of Elijah Muhammad in Chicago.

Of the "anarchy" case, he said: "The state claims that the Muslim religion teaches them to take land on the basis that they were in slavery 310 years and are entitled to it.

"I disproved everything they set out to prove but they convicted him anyway."

After saying "a colored man doesn't have a chance," Mr. Venable hastened to say "I'm dead against integration" but he did feel great injustice was being done the colored citizens.

"He's got nine strikes against him," he said.

* * *

ATLANTA MUSLIMS believe that the "anarchy" and "flag desecration" trials are attempts to "protect the chief of police." The case started earlier this year when police broke up a Muslim meeting.

The Muslims charge that the police entered the building illegally and used unnecessary force in arresting Troy X and the seven others. They say that authorities feel the Muslims will make serious federal charges unless they are silenced by heavy jail sentences.

'Stool Pigeon' Law Is Taken Under Advisement

A three-judge Federal Court here Friday took under advisement a government request to ban the enforcement of two recently - enacted Louisiana "stool pigeon" laws.

The court's action was taken after U. S. Attorney M. Hepburn Many branded the "informer" laws as "evil and vicious legislation." Attorney-General Jack P. F. Gremillion defended the laws saying their enforcement could be compared with methods used against income tax evaders and narcotics law violators.

The two state laws under attack make it a crime for any person to pay or offer to pay, or to promise or give anything of value to any parent or guardian for permitting a child to attend an integrated public school or to teachers in such schools. They provide rewards for any person who gives information on "violators" of the two laws.

Hearing the case were Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals, and U. S. District Judges Herbert W. Christenberry and J. Skelly Wright.

Many said the two legislative acts merely being on the books "are poised as a sword over the heads of those attending integrated schools."

They are part of a series of "massive reprisals" that have brought sharp pressures against those who persist in going to New Orleans' two integrated schools, Many said.

Gremillion argued that the government was going too far in presuming the acts illegal even before they were enforced.

"If we don't stop and go back to the law," Gremillion said, "before long, this court is going to be running the Legislature of Louisiana."

A temporary restraining order had prevented enforcement of the laws since their enactment several months ago.

Many said a total white boycott is under way at McDonogh 19 and less than 20 white children go to William T. Frantz schools which were integrated by court order last November.

The real reasons that have held down white attendance, Many said, are economic reprisals, telephone calls, reprisals of children against children and other community pressures.

He said one family whose child went to McDonogh 19 for two days was forced to flee the state.

"And now these informer laws," he said, "they would put neighbor against neighbor, friend against friend. These things are fantastic in a 20th century democracy."

Gremillion called Many's arguments "ridiculous." He said informers are needed to get evidence to prosecute any case.

"How about the government rewarding income tax informers? Is that reprehensible? Is that vicious?" Gremillion asked.

He called attention to federal informer laws applying to immigration, customs, and narcotics violations.

Why people don't go to integrated schools isn't any of my or his (Many's) business," Gremillion said. "As for somebody having to leave Louisiana because of integration, that's a bunch of horse junk."

Broken Jaw To Grambling Co-ed

By COLLIE J. NICHOLSON

RUSTON, La. — (ANP) — A Grambling college co-ed last week was severely beaten by a white man in the Lincoln parish court house because she stood too close to a "white only" water fountain.

Gloria Dunn, whose jaw was broken by blows from a heavy police riot stick, was hospitalized in the Davis clinic in Monroe, La. Dr. Henry Davis reset the jaw and temporarily repaired a tooth badly damaged by blows.

The doctor said her mouth would be wired for at least six weeks.

Did Not Provoke Attack

Miss Dunn, a 105-pound junior sociology major, said she did "absolutely nothing to provoke the attack."

Finding it painful and difficult to talk because of the condition of her mouth Saturday, she gave this detailed account of the frightful experience.

"I went to the court house to get a drivers' license and was awaiting my term in a down-stairs hallway outside the examination room where the assault took place.

Concession Worker Attacks

"I was standing quietly when this court house employee, a concession stand operator, said "hey girl, move back from that fountain. You're standing too close.

"I wasn't sure he was talking to me as it was obvious that I wasn't there to get a drink of water." The fountain is marked "white only."

"I glanced in his direction, looked around to see if someone else was near me and turned just in time to see him advancing toward me with a police billet or riot stick.

Strikes Several Blows

"He hit me on the neck, jaw and left side before I could elude him. All the blows were heavy," she said, adding "that man hit me for no reason at all."

Miss Dunn said she ran into the police radio room and reported the attack to three officers — two sheriff deputies and a state patrolman.

"They laughed" she said, shaking her head unbelievably, and told me, "girl, you probably had it coming to you."

Threatens Her

The man with the club came to the door and told me, "I ought to knock your brains out."

Neither officer said anything. Later one of them said, "girl it's best for you to get out of town."

"How can I get out?" I asked him, "with this man standing in the door with a stick."

Appeals Made

Mrs. Agnes W. Brass, an aunt, said appeals had been made to the police department for an arrest.

"I also had a lengthy talk with the district attorney in his office Friday. Both apparently produced negative results," she said.

"He promised to present the facts to the grand jury on Sept. 11. Miss Dunn said she plans to file an immediate suit for damages.

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MARYLAND

GOV. J. MILLARD TAWES GIVES $1000 TO HORACE ALEXANDER SPRIGGS FOR UNJUST IMPRISONMENT

Tawes gives $1,000 donation to Spriggs

By MAX JOHNSON

BALTIMORE

Gov. J. Millard Tawes summoned Horace Alexander Spriggs to his Baltimore office Wednesday morning and presented him with his personal check for $1,000.

In making the presentation, Gov. Tawes noted that Mr. Spriggs was released from the Maryland Penitentiary last October, after serving more than three years for a crime he did not commit.

The governor also reminded that a resolution to authorize the state to compensate Mr. Spriggs for his unjust imprisonment was killed during the last regular General Assembly session.

Gov. Tawes then offered this explanation for his check to Mr. Spriggs:

"Just recently I have learned that Mr. Spriggs' financial plight has been desperate. Sickness and debt have badly depleted his reduced income.

"He has not been able to get a home of his own. I understand that he, his wife, and his two teen-age daughters are now living with Mrs. Spriggs' mother, who is ill.

* * *

"I HAVE, therefore, decided on the following course of action:

At the next session of the General Assembly I intend to throw my full support behind a measure to provide adequate compensation to Mr. Spriggs for the period during which he was wrongly imprisoned.

"It is the firm hope that the good people of tris State will do everything in their power to aid Mr. Spriggs in his search for a home, and I will assist in every way possible in this endeavor.

"I am presenting Mr. Spriggs with my personal check for $1,000, which I hope will help tide him over this period of difficulty.

"In doing these things, I realize that nothing I or the State can do will ever compensate completely for the three terrible years taken out of the life of Horace A. Spriggs."

The whole thing was a surprise to Mr. Spriggs.

"Governor, I can't begin to thank you," he said happily. "It's truly wonderful."

* * *

MR. SPRIGGS, who experienced considerable difficulty finding employment after his release from prison, has been working for the past three months as a janitor at the Social Security.

He and his family live at 718 E. 20th St.

Mrs. Verda F. Welcome, House of Delegates member (4th D., Balto.), was present to witness the governor's presentation of the check to Mr. Spriggs.

Mrs. Welcome introduced the resolution in the General Assembly, which asked that the State give him $15,000 for his unjust imprisonment.

The resolution was further amended to provide that no payment be made to anyone other than Mr. Spriggs, and to prohibit Mr. Spriggs for



SURPRISE GIFT — Horace Alexander Spriggs happily shows the check for $1,000 which Gov. J. Millard Tawes gave him Wednesday, as a surprise personal compensation for his unjust imprisonment.

3 Negroes Draw Fines For Assault

FERNDALE, Md. (AP) — Three members of a Negro social club from Philadelphia were fined $100 and costs each Monday after conviction on charges of disorderly conduct and assaulting a policeman.

The incident was touched off Sunday when a restaurant operator on Ritchie Highway, in Anne Arundel County south of Baltimore, refused service to more than 50 Negroes who had stopped on their way from Philadelphia to a nearby beach.

Testimony at the hearing before Magistrate Ralph C. Boyd was that two buses containing the 50 club members stopped at the restaurant around noon and that a dispute arose when the counter man, George Geshen, refused them service.

Anne Arundel County police were summoned and the three defendants were arrested for disorderly conduct. During the course of the arrest, officers testified, the three became violent and were charged with striking an officer.

Those fined in Ferndale Police Court were Louis Williams, 40, a guard at Holmesburg Prison in Philadelphia; his wife, Adell, 42; and his stepson, Ernest J. Frederick, 28.

In imposing the sentences, which he termed lenient, Boyd said the restaurant proprietor was within his right in refusing service.

Williams described the charges as "trumped up." He said he was trying to get the bus riders from the restaurant to avoid trouble when the police arrived and the dispute began.

Kept home defenders from shooting to kill

By RUFUS WELLS

UPPER MARLBORO, Md. — An 18-year-old youth was credited Monday with averting disaster after three armed white men poured a volley of 50 shots into a Prince Georges County farmhouse where 14 persons were barricaded.

Hero of the Saturday shoot-out was John M. Warner, a janitor at John Hanson Junior High School, Ox Hill, Md. Warner, a handsome, soft-spoken youth who is an experienced hunter and sharpshooter, held off the armed intruders in a 45-minute gun battle.

Police said that the intruders followed Warner's car for three miles to the farmhouse door, brandished a pistol, and fired into the house where Warner and his companions sought shelter. They also attempted to kick down the door.

The white men, who could have been killed, were identified by police as James Houston, 23, of 329 Sycamore Ave.; John H. Bridges, 24, of 835 33rd St., and Mafoye Atlas Martin, 34, of 316 46th St., all of Newport News, Va.

All are now held under $5,000 bail each on attempted murder charges.

Barricaded in the home of Mr. and Mrs. Leonard Moore on the Peter Duval farm off Route 301 were:

John Warner, Doris M. Hall, 16; Emily O. Hall, 15; Joyce Hall, 6; Judy Ann Hall, 4; Janice Hall, 2; their mother, Mrs. Dorothy Hall, and her husband, William Hall;

Also Wilton Wallace, Kenneth Moore, 16; Clarence Moore, 16; Robert Warner, 15; Larry Moore, 13; and Shirly Ann Moore.

* * *

WARNER ORDERED them to a second-floor room shortly before a .22 caliber bullet crashed through the living room window, traveled the width of the house through the dining room and lodged in a wall.

The white men fired 40 or 50 shots from the revolver, which they loaded and reloaded from a box of shells.

At one point, the Virginians, who police said had been drinking heavily, struggled among themselves for possession of the gun.

Inside the house, Warner returned the fire with a shotgun. Wilton Wallace defended the house with a .22 caliber pistol. Both youths took careful aim to avoid killing the intruders.

When it appeared that the men would force their way into the house, Warner sent Clarence Moore, 16, and Robert Warner, 15, out of the back door for help.

The youths ran to a backyard fence, leaped over it and raced a mile to a farmhouse where they telephoned police, giving a description of the car in which the white men were riding.

* * *

MEANWHILE, Houston was struck in the eye, temple and nose by shotgun pellets.

Police Cpl. Douglas Maxfield sped to the scene of the shooting. As he turned off Route 301 on the road leading to the farmhouse, he spotted the car and arrested the three suspects.

Houston was taken to Prince George County Hospital and the other two men to Upper Marlboro police station.

All three were charged with attempted murder. Their bond, originally set at $3,000 was increased to $5,000 at a police court hearing where Magistrate William H. Murgath, ordered the defendants held for grand jury action.

Warner gave the AFRO this account of the incident after testifying at the magistrate's hearing:

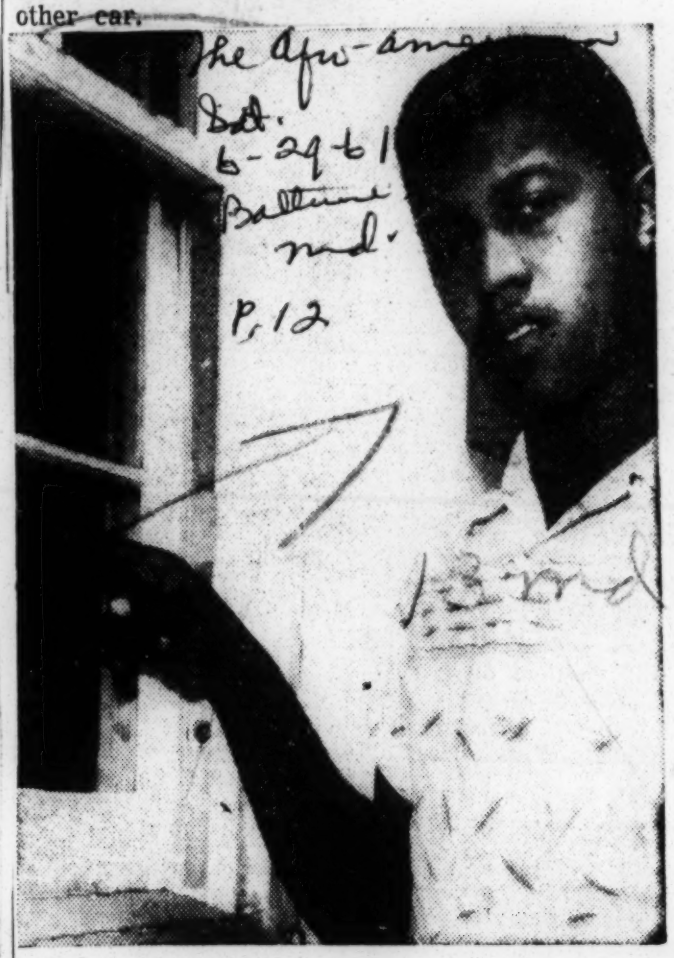
"I was driving home about 7:30 p.m. Saturday with Doris Hall and Emily Hall. On the Old Crain Highway, a 1958 Ford was blocking the road. The car was spinning around sideways. I couldn't get by and came to a stop.

"The driver (later identified as Houston) said 'what are you looking for, you black s.o.b?' We exchanged words and I managed to drive around the car which had then stalled.

* * *

"AS I CONTINUED toward home, they followed me and caught up with me on Route 301. They forced my car off the road. I stayed off the road, driving on the shoulder, and pulled off at a service station.

"They turned around, came back and when I pulled out again, continued to follow me. I stopped at Kincaid Market and William Hall, in his car, followed me. He was between me and the other car.



JOHN M. WARNER, teenager who calmly commanded defense of the farmhouse under fire by three white men, points to bullet hole in window

13 1961

MICHIGAN

Detroit Anti-Crime Battle Draws NAACP-ACLU Attack

DETROIT (AP) — Detroit police were mobilized Sunday for an all-out war against crime in the New Year after 1960's 30-year record for slayings.

In the wake of a recent series of street attacks, including fatal attacks by thugs on a man and a woman, the Motor City's 4,300-man police force is operating on a six-day work week.

Police stepped up surveillance of high crime areas and sought to clear suspicious persons from the streets with a return to old-fashioned foot patrols.

Commissioner Herbert W. Hart launched an anticrime crash program after a hospital nurse's aide was clubbed to death with a brass bar as she walked to work.

In 1960 Detroit had 157 killings — its worst record since the 160 of depression year 1931.

As the police crackdown proceeded, there was criticism from the National Association for the Advancement of Colored People and the American Civil Liberties Union. They charged discrimination and violation of civil liberties.

At the same time a Negro minister, Dr. Jesse Jai McNeil chided wealthy Negroes, saying they fail to help less fortunate members of their race or to combat crime and poverty in neighborhoods where they themselves once lived. Dr. McNeil made his remarks in an interview.

Before they died, last week's two slaying victims said they had been attacked and robbed by Negroes. Police rounded up nearly 1,000 persons over a three-day period in the crime crackdown. They were both white and Negro.

Arthur L. Johnson, executive secretary of the Detroit NAACP branch, said newspaper crime reports and editorials were in effect "accusing Negroes of some sort of grand conspiracy."

"This is just another example of the pattern of mistreatment that Negroes suffer," he said. "If we did not live in a segregated society, we could not designate this problem as a Negro crime problem."

Both police officials and Mayor Louis Miriani denied any discrimination or other violation of citizen rights.

Mayor Miriani, whose city of a million and a half population is 10 per cent Negro, Indicated he would welcome an NAACP invitation to meet with the group on the crime problem.

Harold Norris, president of the Detroit Chapter of the Civil Liberties Union, termed the police crackdown a violation of civil liberties. He said the practice of stopping people for questioning has led to illegal searches and seizures.

Cleared In Slaying Of Blonde Office Girl; Admits 2 Others

The Afro-American
Baltimore, MD
Dec 19 1964

DETROIT — A suspect as the slayer of a blonde girl office worker was able to clear himself of the Detroit crime. However, the suspect admits recent murders in both Birmingham, Ala. and Chicago, police said Friday.

The suspect, identified as Lovell Collins, 26, told police he had been living at 946 Navahoe since arriving in Detroit a week ago.

Detectives Bill Bishop and James Pollock, who were investigating the knife murder of Marilyn Donohue, arrested Collins Thursday night while checking a tip relayed to them by a daily newspaper which is offering a $5,000 reward in the Donohue case.

* * *

COLLINS, living here under the alias, James Parker, was taken into custody after he gave vague answers about his background and was unable to show satisfactory identication.

He cleared himself of the Donohue murder. But when police told Collins that a routine check of his fingerprints would be made, Collins broke down. Detective Bishop quoted him as saying:

"I might as well tell you. You'll find it out now anyway. I'm wanted."

POLICE SAID Collins then admitted that on Dec. 5 he killed his stepmother, with whom he had been staying in Birmingham, Ala

Police further quoted Collins as saying: "Then I went to Chicago where I met a girl named Leanna Love. I got an urge to kill and stabbed her with an ice pick.

This murder occurred Dec. 12.

"We confirmed that both murders happened," Detective Bishop said.

"A man answering Collins' description is sought in each.

The girl in Chicago was stabbed 32 times. Her wedding and engagement rings were stolen. Collins says he pawned them in Detroit.

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MISSISSIPPI

White Youths On Motor Scooter Fire On Negroes, Wounding Two

GREENVILLE, Miss., Jan. 2 (UPI)—Officers said today two white youths on a motor scooter fired into a group of Negroes in a downtown area early Sunday, wounding two teen-agers.

Police Chief W. C. Burnley said it apparently was an "unprovoked attack."

Authorities were checking owners of all motor scooters in the city in an attempt to locate the youths.

George Mayfield, 18, received a serious wound in the right leg and Perry Lee Simmons, 19, suffered a flesh wound.

The two Negroes were among a group which gathered in front of a Negro cafe moments after midnight New Year's Eve.

Edward Barnes, 55, who witnessed the shooting, said "I heard a motor scooter and what I first thought were firecrackers going off. Then I saw this boy lying on the sidewalk bleeding and the motor scooter sped away."

Burnley said there was nothing to indicate the shooting was connected with the rape of a prominent white woman last week by a Negro.

"As far as I'm concerned, it's an unprovoked attack," he said.

Negro Robbed, Beaten In Lee By White Pair

TUPELO, (Miss.), (Special) — A 65-year-old Negro man was robbed and beaten by two white men yesterday near the GM&O railroad about a mile north of Guntown, according to Lee County sheriff Frank Carter.

The man, Troy Richardson, told Sheriff Carter that the two men came upon him while he was cutting wood about 11 a. m. They reportedly covered him with rifles and beat him with a rubber hose after taking three dollars from him.

Lee county officers and members of the highway patrol launched a search for the men Thursday afternoon after the victim walked to Guntown and reported the incident.

He was taken to Caldwell Memorial hospital in Baldwyn and then transferred to the North Mississippi Community hospital here. He was reported in fair condition.

College Instructor Caught In Holdup

Finance Company Is Victim In Futile Attempt

M'COMB, Miss., Jan. 23. (UPI)—A junior college instructor held up a finance company Monday but was arrested 10 minutes later.

Charles K. Whittington, 36, took $438 from Mrs. Carolyn Wilson, a secretary at E-Z Finance Company, shortly after noon at gunpoint.

Mrs. Wilson recognized Whittington and immediately reported the robbery to police.

A motorcycle officer, Ed Smith, arrested him about eight blocks from the finance company.

Whittington, who taught automobile mechanics at Southwest Junior College near here, admitted the crime. The money was recovered.

Officers said he was traveling in a car he had taken for a "test ride" from an automobile agency here.

They said he used a 22-caliber pistol that was not loaded and, because the hammer was broken wouldn't have fired if it were loaded.

Whittington, a former employe of the state highway department, has a wife and several children. A policeman said he was well-respected in the community. "We don't know what got into that boy," said the officer.

Mrs. Wilson was alone in the office when Whittington entered. Her employer, Lloyd Hall, was out to lunch.

Continue Hunt For Negro Man In Belzoni Area

BELZONI, Miss. (Special) — Humphrey County Sheriff's officers continued to comb an area south of Belzoni today, where a Negro abandoned a car stolen from a Belzoni girl, the Negro choked.

Sheriff S. O. Tharp said the car was found in a rural area southeast of Belzoni, near a small lake. The car had been wrecked on a dead-end road.

Several suspects have been questioned, the Sheriff said, but all have been released.

Mary Downs, a 16-year-old Belzoni girl, was choked by the unidentified Negro Sunday night when she got into her car in front of a local theatre.

Miss Downs managed to elude the Negro, who sped away in the car.

Negro Chokes Girl, Steals Purse, Auto

BELZONI, Miss. (Special) — A Negro man choked a Belzoni girl last night, then stole her car and purse and headed south.

A search for the Negro spread throughout the Mississippi Delta today, after the Negro sped out of Belzoni with the stolen car.

Belzoni police said the unidentified Negro choked Mary Downs, about 16, as she got into her car at a Belzoni movie theatre.

The Negro tried to get Miss Downs to drive him but the high school girl wrestled away from the Negro, officers said.

Police said the Negro headed south on Highway 49.

Highway patrolmen and Humphrey County sheriff's officers hunted the Negro last night, but no trace of the car or Negro was found.

Miss Downs said the young Negro was sitting in her 1959 black Ford when she got in the car.

Miss Downs said her purse contained about $60.

Negro Woman Held In Assault Of White Woman

Yazoo City, Miss. — (Special)— A Negro woman who refused to give her name or make any statement is being held in jail here following an apparently unprovoked attack on a white woman at a local store yesterday.

A police spokesman said they were still checking the attack which they called "a scratching" fight, and had been unable to determine the white woman's condition. She was not identified.

The city police officer said they had not questioned the Negro woman yet pending a report on the attack victim's condition.

Kennard Loser In Court Appeal

Seven-Year Prison Term For Chicken Feed Theft Upheld By State

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., April 3. — Clyde Kennard, Negro chicken farmer of Hattiesburg and one-time University of Chicago student who sought unsuccessfully to enter all white Mississippi Southern College, Monday lost a state Supreme Court appeal from a seven-year prison sentence as an accessory in the theft of five sacks of chicken feed.

He was convicted in Forrest County Circuit Court on testimony of Johnny Lee Roberts, a Negro employed at the store from which the feed was stolen. Roberts testified that Kennard planned the robbery which he (Roberts) executed and then delivered the feed to Kennard's farm for which he was paid $2.50 a sack.

Reversed Conviction

Justice Robert Gillespie, who in a previous case had reversed Kennard's conviction for liquor possession, wrote Monday's opinion in which the Negro sought to gain a reversal on grounds of systematic exclusion of Negroes from juries. The previous case followed discovery of liquor in Kennard's car as it was parked on the Hattiesburg College campus in 1959 and which he said had beeen "planted" in the vehicle.

Justice Gillespie said court records in the present case show there are Negroes registered and qualifed to vote in Forrest County and that Kennard "failed to meet the burden assumed by him because the witnesses he called proved the opposite of his contentions."

As to Kennard's position that there "was an inappropriate and arbitrary number of Negroes on the jury list," Justice Gillespie noted "the courts have never said that a defendant is entitled to any particular number or proportion of jurors of a given race or that there must be a mixed jury."

Not Sufficient

Justice Gillespie asserted that the "fact that Negroes were not included in a particular jury is not sufficient to establish that there was actual discrimination because of race."

"The issue is not whether some individual or individuals have been denied the right to register," he added.

Justice Gillespie noted that since previous decisions against systematic exclusion of Negroes from jury lists "most, if not all, counties have been placing in the jury boxes the names of Negroes who meet the requirements of being men of good intelligence, sound judgment and fair character."

Medgar Evers, field secretary of the National Association for the Advancement of Colored People, who attended Kennard's trial and termed it "a mockery of justice" in a later public statement, was convicted of contempt of the Forrest County Circuit Court by Judge Stanton Hall. He was sentenced to 30 days in jail which has been appealed to the state Supreme Court and is pending there.

Acted In Concert

R. Jess Brown, Negro attorney of Vicksburg who defended Kennard, argued that there was no testimony in the burglary case showing his client actually participated in the theft. However, the court said "the record shows that Kennard and Roberts acted in concert to accomplish the crime and that they formulated a common design to commit the crime."

"It was not necessary that the state prove Kennard was physically present at the time of the commission of the crime," Justice Gillespie said. "They (Kennard and Roberts) had an understanding about the robbery and what Roberts would profit per sack."

"Under Mississippi law, every person who shall be an accessory to any felony, before the fact, shall be deemed and considered a principal, and shall be indicted and punished as such."

Five Negroes Given Life In Kemper Case

DEKALB, Miss. (AP) — Five young Negroes are in Lauderdale County jail at Meridian awaiting transfer to state prison at Parchman to serve life terms for the robbery-beating of a general storekeeper.

Pleading guilty Monday were Stennis Hampton, 25; Marshall Riddle, 21; Ezelle Alexander, 21; James Holmes, 21, and Willis Turner, 30.

All five, natives of Kemper County, returned here recently after working in Omaha, Neb.

They were charged with armed robbery and assault and battery with intent to kill Roy Wilson, a general store operator about one mile west of here, March 13.

Wilson, badly beaten, was robbed of about $800 in cash and checks.

Judge John D. Green of Starkville sentenced the men.

Under Mississippi law, they could have been given the death penalty for armed robbery.

COURTHOUSE COMMENTS

Negroes Fare Far Better In Courts Than Whites

By EDMUND F. NOEL
Clarion Ledger Staff Writer

To journalistically espouse the cause of racial preference in Mississippi is, at best, similar to preaching Hell-fire and damnation to an already "saved" congregation; at worst it's a lazy reporters way of making the day.

So, since the former seems a misuse of effort and the latter must not be overly advertised, I usually leave the white man's burden to more capable shoulders and pens.

However, I would like to point out to those whose tears fill the collection plates every time a Negro faces the "farce of Southern Justice," that the Negro fares far better in the vast majority of criminal cases than does the white offender.

For instance, if a white man took a knife and carved up his neighbor, the charge would be assault and battery with intent to kill. The white man would be "sent up" for a good long stretch.

SIMPLE ASSAULT

But, when the Negro pulls the switchblade and plays tic-tac-toe on his pal's face, Southern district attorneys in most cases are, willing to file simple assault charges resulting in 60 or 90 days on the "county farm."

Prostitution charges hardly ever bring more than a fine for black practitioners while their white counterparts are dealt with considerably harsher.

In covering a good many courts in three Southern States I find the same to be true where burglary, robbery and murder are committed within racial lines.

In Mississippi there are only two so called "degrees" of murder. They are: murder and manslaughter. When a white man kills another white man or a Negro the charge, almost without exception, is murder. The same is true when a Negro kills a white man.

LESSER CHARGE

But, when a negro kills another Negro, by far the most numerous cases, the vast majority of cases are limited to the lesser charge of manslaughter. On a murder charge the convicted defendant faces the gas chamber or life in prison. Manslaughter carries, usually, enough time "to make about three or four crops," up at the Big Farm in the Delta.

If Negro defendants, charged with murder of a member of their own race, faced full-fledged murder charges, their number would decrease noticeably.

The South doesn't have enough jails to handle Negro wife beating violators in the same manner white men are jailed.

Perhaps, then, there is something to the collection-plate passers' cry of "Dixie's double-justice" and the Negroes ought to be damned glad there is.

State Court Turns Down Racial Plea

By BOB PITTMAN
Daily News Staff Writer

The Mississippi Supreme Court emphasized yesterday that the Constitution does not require that juries be made up of certain numbers of any particular race.

The declaration came in an appeal in which the court upheld the burglary penitentiary sentence of Negro Clyde Kennard of Forrest County.

Kennard, who made an unsuccessful attempt to enroll in Mississippi Southern College at Hattiesburg two years ago, was convicted of burglary in the theft of five sacks of chicken feed from the Forrest County Co-op.

The feed was removed from the Co-op by an employee and delivered to Kennard's farm.

In his appeal, Kennard contended that there was an inappropriate number of Negroes on the jury list.

"The courts have never held that a defendant is entitled to any particular number of proportion of jurors of a given race, or even that there must be a mixed jury," the Supreme Court said.

"The question has always been whether there was a purposeful exclusion of members of the defendant's race because of race. The constitutional requirements are met when a fair jury is selected without regard to race."

Kennard also contended that Negroes were systematically excluded from the jury but the court said witnesses testified that Negroes had been summoned to serve on juries in Forrest County over an extended period of time.

The defendant asked that the verdict be overturned because Negroes have not been allowed to register in the county solely on the ground of race and that this has resulted in the systematic exclusion of Negroes from jury service.

NEGROES ON LIST

Evidence showed, however, that there were qualified Negro electors in the county and that there were Negroes who were on the jury lists over an extended period of time, the court said.

Four persons testified for Kennard that they had been unable to register.

The court wrote, however, that "the issue here is not whether some individuals have been denied the right to register. If such was the issue, the proof in this case in regard to the persons referred to falls short of proving that these individuals were qualified to register or that they were denied the right to register because of race."

SEPT. NOV.

13 1961 MISSISSIPPI

Group Charges Mississippi Registrar With Beating Negro Vote Instructor

TYLERTOWN, Miss. (AP)—A spokesman for the Student Nonvolent Movement charged the Walthall County registrar beat a Negro voting instructor after he asked the official to give voting tests to two Negroes.

Mississippi law requires prospective voters pass written tests before they can be registered to vote.

Instructor John Hardy, 21, of Memphis, Tenn., went to jail Thursday on breach of peace charges following the flareup at Circuit Clerk John Q. Wood's office. The circuit clerk also is registrar.

The nonviolent movement spokesman charged that Wood hit Hardy on the head after he asked the registrar to give tests to the Negroes.

"Yes, I hit him," Wood told newsmen. "I have been advised by my attorney not to make any further statement."

The spokesman said Hardy took a Negro couple into the clerk's office and was advised the test could not be given pending outcome of federal court charges of discrimination against Negro applicants in Walthall County.

Wood got a pistol and ordered Hardy out, the spokesman said, and Hardy was hit from the rear as he turned to walk out. His companions helped him outside, where he was arrested.

"He was bleeding real bad," the spokesman said.

The incident was one of several reported in south Mississippi in recent days.

Registration Instructor Travis Britt, 27-year-old Brooklyn man, said he and Instructor Robert Moses, 26-year-old New York Negro, were threatened Tuesday by a group of whites at Liberty, in nearby Amite County, as they took three Negroes for registration tests.

HIT 28 TIMES

Britt reported one man hit him 28 times but that they all got in a truck and drove away.

Moses charged last week he was beaten up in Liberty by a white man, Billy Jack Caston, but a justice of the peace court jury acquitted Caston.

Moses previously was convicted on charges of trying to intimidate a state highway patrolman as the officer inspected the driver license of a Negro.

A group of Student Nonviolent Movement representatives has been in Pike, Walthal and Amite counties conducting schools to instruct Negroes on how to pass voter registration tests.

NEGRO VOTE TEACHER IS BEATEN IN SOUTH

TYLERTOWN, Miss., Sept. 7 (AP)—A Negro voter registration instructor, seeking to register a Negro couple as voters, went to jail Thursday on breach-of-peace charges after a flareup at Circuit Clerk John Q. Wood's office.

Leaders of the Student Nonviolent Coordinating Committee charged that John Hardy, a 21-year-old Memphis, Tenn., Negro, was hit on the head after he had asked Mr. Wood to administer registration tests to two Negroes.

"Yes, I hit him," Mr. Wood told newsmen. "I have been advised by my attorney not to make any further statement."

A spokesman for the Nonviolent movement said Mr. Hardy took the Negro couple into the clerk's office and was told the test could not be administered pending the outcome of Federal court charges of discrimination against Negro applicants in Walthall County.

Mr. Wood got a pistol and ordered Mr. Hardy out, the spokesman said, and Mr. Hardy was hit from the rear as he turned to walk out. His companions helped him outside, where he was arrested.

Lee County Men Beaten, Robbed

Same Assailants Sought In Two Cases

From The Commercial Appeal Tupelo, Miss., Bureau

TUPELO, Miss., Nov. 8. — Two Lee County men were beaten and robbed early Wednesday by a pair of Negroes according to Sheriff Frank Carter.

The victims, both under treatment at the Tupelo Community Hospital, are Andrew Reese, 39, who was attacked at his Red Hill community home and robbed of $50, and Oma Rutledge, a service station attendant, who was attacked at his station between Belden and Sherman on U. S. Highway 78 and robbed of about $300.

Sheriff Carter said there is little doubt that both crimes were committed by the same men.

He said the pair drove to Mr. Reese's house in a late model, red Ford station wagon shortly after midnight. The Negroes beat the man with jackhandles, stole the money and drove away. Mr. Reese walked to a neighbor's house to get aid.

A short time later Mr. Rutledge was attacked by the Negroes, who apparently had concealed the station wagon away from the station. After the attack, Mr. Rutledge was locked in a back room of the station.

Hospital attendants have reported the conditions of both victims are satisfactory. Mr. Reese suffered facial and head cuts. Mr. Rutledge sustained a shoulder injury in addition to head and facial injuries.

Mr. Reese said the station wagon bore Tennessee license plates.

Arrest Pair, Seek 4 In Lasso Gang

JACKSON, Miss. — (UPI) —A deaf-mute white youth faced charges of assault for wrapping a length of wire around a nine-year-old Negro girl's neck and hurling her to the ground as he passed in a car.

Detective Chief M. B. Pierce said Horace Perry, 18, of Jackson was arrested Monday and charged with injuring Gloria Laverne Floyd in the Sunday night incident here.

"I'm sure it wasn't a racial incident," said Pierce. "That boy didn't have 'Negro' on his mind." Pierce said the mute youth told him via sign language he did it "on impulse."

The girl suffered a deep gash in her head that required three stitches, had cheek bruises, a laceration on her right shoulder and burn marks on her neck.

Her grandmother, Mrs. Braxton Floyd, said Gloria was walking home from church with her sisters and friends when a carload of whooping white youths passed in an open convertible.

She said one of the youths was standng up and twirling a 10-foot wire around his head. "They were waving it like a lasso," she said, "and one stood up and threw it over her head."

Mrs. Floyd said the other girls ducked as the wire whipped across, but it struck Gloria in the back of the neck and wrapped around her.

Pierce said another youth had been arrested but did not disclose his name. "He was just a passenger in the car," said Pierce.

The detective chief said four other boys who were in the car would also be arrested. He said they had left town.

Mississippi Arrests 20 In Faked Auto Accidents

JACKSON, Miss., July 20 (UPI)—Authorities today announced the arrests of 20 person for faking automobile accidents to collect insurance.

Among those taken into custody was Lee V. Prisock, a former candidate for Lieutenant Governor, Attorney General and State Tax Collector.

District Attorney William L. Waller said members of the group had staged at least five accidents in Jackson. One of them was so effective, he said, that police waded into a creek to rescue "victims" and one was given final rites by a priest.

Waller said insurance companies had paid about $50,000 for the bogus accidents and claims by members of the group amounted to more than $250,000.

He said officers expect to find that other wrecks have been staged, both here and in South Carolina. Eight of those arrested are from the Columbia, S. C., area. The others are from Mississippi. He said there may be future charges against other persons in the ring, including a Jackson doctor who has "treated" all members.

Each of the 20 faces one or more charges of false pretense. Conviction on one count of false pretense, he said, carries a maximum penalty of two years in prison.

Waller described Prisock as "the brain behind the whole thing." Five charges of false pretense have been filed against him and he is held under $5000 bond.

Prisock, 40, has been a lawyer here for several years. He was defeated in bids for Lieutenant Governor in 1951, Attorney General in 1955 and Tax Collector in 1959. His campaign publicity said he worked for the Government for three years investigating frauds in veterans' housing.

Grand Jury Probe Of Bombing Set

Jackson Daily News

GULFPORT, Miss. (AP) — Circuit Judge Leslie Grant ordered a grand jury investigation into the dynamiting of the sheriff's car he said could have resulted from allowing too many law violations in the county.

Early Sunday, an explosion wrecked the automobile of Harrison County Sheriff Curtis Dedeaux in his driveway. No one was injured.

In his charge to the grand jury Monday, Judge Grant deplored the return of professional gambling to the county but he said he was not necessarily saying that the explosion was set off by gamblers or bootleggers.

Such explosions, he said, sometimes are the "result of allowing too much law violation to go on. You start off with local, friendly people but when outsiders come in you cannot tell what they will do."

Judge Grant said the enforcement of the gambling laws was the direct responsibility of the sheriff and the constables, regardless of whether they think the laws are good or bad.



ASSAULT VICTIM — Gloria LaVerne Floyd, 9, shows bandaged gash on her shoulder, one of multiple injuries she received when she was lassoed and dragged behind a car while returning home from church in Jackson, Miss., recently. Police arrested a deaf-mute white youth, Horace Perry, 18, and charged him with assault in connection with the incident. — (Story on Page 2)

Girl roped, dragged, behind car

JACKSON, Miss. — Police arrested an 18 - year-old white youth, Horace Perry, Tuesday and charged him with assault as the result of a Sunday night incident in which a 9 - year - old girl was lassoed from a passing car and severely injured by being dragged along the street.

The child, Gloria Laverne Floyd, was walking home from church with her sister and friends when she was lassoed by one of several youths riding in an open convertible.

The victim received a deep gash in her head, which required three stitches, cheek bruises, laceration of the shoulder and burn marks on the neck.

Detective Chief M. B. Pierce said that the other youths who were riding in the car with Perry would be arrested.

Girl Lassoed And Dragged Behind Car

JACKSON, Miss. — (UPI) — Police said Tuesday they expect to make several arrests following an incident in which a white youth lassoed a 9-year-old Negro girl from a car and dragged her along a paved street, severely injuring her.

Chief of Detectives M. B. Pierce said police were investigating the Sunday incident and said the youth who threw the rope from an open convertible and several passengers in the car "would have to be rounded up."

The girl, Gloria Laverne Floyd, suffered a deep gash in her head —requiring three stitches—had severe cheek bruises, a laceration on her right shoulder and burnmarks on the neck from the rope.

The girl's grandmother, Mrs. Braxton Floyd, said Gloria was walking home from church with her sisters and friends when the auto drove by.

She said one of them threw what appeared to be a rope around the girl's neck and dragged her. "They were waving it like a lasso," she said, "and one stood up and threw it over her head."

Mrs. Floyd said the children were not sure how far the child was dragged along the street. She said it apparently was a distance of several feet. She said the rope slipped free.

Mississippi Negro's Body Identified

PASCAGOULA, Miss., Oct. 3 (UPI)—Authorities said today the body of a Negro found in a bayou near Moss Point Sunday had been identified as John Lee Fulton, 41, of Moss Point.

They said Fulton, who disappeared from home three weeks ago, apparently drowned.

Bomb Attempt Misses Sheriff

Explosion Shatters Car Of Gulf Coast Official In Mississippi City

By The Associated Press

MISSISSIPPI CITY, Miss., June 11.—A bomb blasted the private car of Sheriff Curtis O. Dedeaux early Sunday, but the South Mississippi lawman escaped with his life because he stayed at home.

The explosion about 2 a.m. hurled pieces of the car over a wide area near the two-story apartment home where the sheriff and two other families live.

Glass fragments shattered over beds in which the sheriff's wife and 2-year-old stepdaughter slept. The blast damaged three parked cars and a nearby house.

Bomb Below Seat

An Air Force demolition expert from Keesler AFB said a preliminary inspection indicated someone attached a dynamite bomb to the frame of the car below the driver's seat.

It appeared to be a time bomb. From the force of the blast, the demolition man said, indications were as many as six sticks of dynamite may have been used.

Sheriff Dedeaux, 40, said three attempts were made to get him into the car just prior to the explosion.

"I received three phone calls from unidentified individuals complaining of gambling activities at clubs on Highway U. S. 90, he said.

Personal Check Asked

In each case, the caller asked the sheriff to make a personal check. He sent deputies instead. They found no gambling, Sheriff Dedeaux said.

Sheriff Dedeaux, who took office in 1960, attributed the bombing to "someone seeking revenge from some police action taken by this department."

He has made some narcotics arrests and also has taken action against whisky dealers. Mississippi is a dry state.

He drew press attention recently when he maintained organized gambling does not exist in his county despite an Associated Press survey that found gambling in night spots on the Gulf Coast.

NEGROES BEAT MARSHAL

3 Held For Intent To Kill Hollandale Officer

GREENVILLE, Miss., July 17. — Three Hollandale Negroes were being held in the Washington County jail Monday charged with intent to kill against night Marshal Harold Shaw of Hollandale.

Mr. Shaw was beaten on the head and stabbed six times by the Negroes early Sunday outside a Hollandale tavern.

His condition Monday was listed as satisfactory at the city hospital in Leland.

The three Negroes held are Bobby Gene Haynes, 18; W. B. Haynes, 17, and J. H. Haynes, 21. They are brothers.

Marshal Shaw entered the Negro tavern to investigate a brawl, according to officers, and when he attempted to arrest Bobby Gene Haynes and W. B. Haynes—they fled but later returned with their brother, J. H. Haynes.

Two of the Negroes drew pocket knives and the other beat Marshal Shaw with his fists.

The boys were taken into custody by a group of county officers with Marshal John Holder of Hollandale.

Mississippi Sheriff's Car Destroyed By Dynamite Blast

MISSISSIPPI CITY, Miss. (AP) —A bomb blasted to bits the private car of Sheriff Curtis O. Dedeaux early Sunday, but the south Mississippi law officer escaped with his life because he stayed at home.

The explosion at about 2 a.m. hurled pieces of the car over a wide area near the two-story apartment home where the sheriff and two other families live.

Glass fragments shattered over beds in which his wife and 2-year-old stepdaughter slept. The blast damaged three parked cars and a nearby house.

A demolition expert from Keesler Air Force Base said a preliminary inspection indicated someone attached a dynamite bomb to the frame of the car below the driver's seat.

It appeared to be a time bomb. From the force of the blast, the demolition man said indications were as many as six sticks of dynamite may have been used.

Dedeaux, 40, said three attempts were made to get him into the car just prior to the explosion.

"I received three phone calls from unidentified individuals complaining of gambling activities at clubs on U.S. Highway 90," he said.

In each case, the caller asked the sheriff to make a personal check. He sent deputies instead. They found no gambling, Dedeaux said.

Dedeaux, who was elected sheriff and took office in 1960, said he attributed the bombing to "someone seeking revenge from some police action taken by this department."

He has made some narcotics arrests and also taken action against whiskey dealers. Mississippi is a dry state.

Harrison County runs along the resort-heavy coast near Biloxi.

ATTORNEY IS ACCUSED

Negro's Arrest Sought On Bad Check Charge

VICKSBURG, Miss., June 15. (UPI)—A warrant was issued Thursday for the arrest of R. Jess Brown, one of the Negro attorneys who filed Mississippi's first school integration lawsuit two weeks ago, on a bad check charge.

Authorities did not reveal who signed the affidavit against Brown, who is often employed by the National Association for the Advancement of Colored People.

Brown had not been arrested late Thursday. His office here reported he was out for the day and there was no one at his home in Jackson.

Wednesday, all four tires on Brown's car were slashed on a city street here.

Lasso, Drag Girl 9 Over Miss. Street

Jackson (ANP) - Special - Police arrested a deaf-mute white youth Tuesday and charged him with assault in an incident where a nine-year-old Negro was lassoed from a passing car and dragged along the street, severely cutting and bruising her.

Detective Chief M. B. Pierce said Horace Perry, 18, of Jackson had been charged in the Sunday night incident.

Pierce said Perry actually lassoed the girl with a wire loop, but said several other white youths who had been riding in the automobile, an open convertible, also would be arrested.

The girl, Gloria Laverne Floyd, suffered a deep gash in her head that required three stitches. She also received cheek bruises, a laceration on her right shoulder and burn marks on her neck from the wire.

Police said in disclosing the incident that several Negro boys tossed a brick through a car window and threw a rock at another car during the weekend.

Police did not say whether these incidents were connected with the lasso case.



GLORIA FLOYD

13 1961

MISSISSIPPI

Brothers Charged In Negro Shooting

White Dairy Workers Claim Incident Was Provoked

From The Commercial Appeal Greenville, Miss., Bureau

GREENVILLE, Miss., Jan. 3. —Police Chief W. C. Burnley said Tuesday that two white brothers have admitted that they fired into a crowd of Negroes here early Sunday morning, wounding two young Negroes in the legs. They said that the shooting had been provoked by an earlier incident.

The brothers, Johnnie Lee Evans, 17, and George Lenoye Evans, 21, both of Greenville, are dairy workers.

They told Chief Burnley they had been attacked by a crowd of Negroes shortly before midnight Saturday as they were going home on a motorbike. They said the Negroes had cursed them and had thrown beer cans and bottles at them, hitting Johnnie, who was driving, in the head.

They said they went home, got a 22 rifle and returned about 12:20 a.m. Sunday. They claimed as they rode by, members of the crowd started out to meet them, but scattered as soon as George started firing the rifle from the rear of the motorbike.

They said they then turned around and went home.

The two brothers have been charged with assault and battery with intent to kill. They have been turned over to county authorities awaiting preliminary hearing, Chief Burnley said.

Deputy Sheriff W. S. Taggart said the two would waive the hearing and wait the action of the Grand Jury in June.

Victims of the shooting, Percy Lee Simmons, 19, and George Mayfield, were reported in good condition at General Hospital Tuesday.

Four Youths Cleared In Dynamite Blasts

HAZLEHURST, Miss. (Special) —Four Hazlehurst ten-agers are none the worse for the wear, but probably pretty scared of any type of explosives from now on. The four youths who say they found dynamite, caps and fuses on a creek bank, at first experimented with blowing up a few trees. Everything seemed to be going along fine until they decided to take on a bigger job that of blowing up a public bridge.

A number of sticks of dynamite was placed on top of a plank bridge, fuse and caps inserted, then the lead wires touched to a car battery. Result? A hole as large as a wash tub and a few planks scattered in the water.

The youths admitted to authorities they were the guilty ones. No charges were filed, but restitution was made by the parents.

An oil exploration crew powder magazine was broken into some weeks ago and explosives stolen. Officials say the four boys were absolved of the theft.

Taking of $241 charged to Negro

MERIDIAN, Miss., March 18— Rufus Grady, Meridian Negro, was arrested in Demopolis, Ala., on an embezzlement warrant. Police said he is accused of taking $241 from a market here.

Grady, an employe of the market left in a company truck with the money. He left the truck in Meridian and took a taxi to Demopolis.

After the warrant was issued, police tracked him through the taxi driver, and notified Demopolis police to pick him up.

Grady will be returned here to face charges.

Court Says Kennard Is Due Trial

By DOUGLAS STARR
The Associated Press

Negro Clyde Kennard won state Supreme Court permission today to stand trial on charges of possession of whisky and reckless driving that grew out of his attempt to desegregate Mississippi Southern College in 1959.

Constables Lee Daniels and Charles Ward arrested Kennard on the campus Sept. 15, 1959 and charged him with reckless driving and possession of four half-pints of moonshine whisky. They said they acted on a tip that a load of whisky was headed for the campus.

Kennard's desegregation attempt failed on grounds he could not meet scholastic requirements.

Kennard was convicted of the two charges in justice of the peace court and the case was affirmed in county court. When Kennard sought to appeal to circuit court, him and his attorney to be absent and circuit court denied appeal. circuit court denied appeal.

The state Supreme Court, in a decision written by Justice Robert Gillespie, held that the date mix-up was too trivial a reason to deny a trial and ordered a trial scheduled.

Last November, Kennard, a chicken farmer, was sentenced to seven years for burglary in the stealing of five sacks of chicken feed. He has appealed this conviction to the state supreme court.

In another case, the Supreme Court affirmed the murder conviction of William Stokes, a Laurel Negro, and set April 21 as his execution date.

Stokes admitted stabbing Mrs. Eula Clark, a white shopkeeper, to death in her shop March 3, 1960.

He said he had been drinking and stabbed her during an argument.

5 Investigated In Delinquency

Two Negro Bellhops Held In Case Involving Two Girls, 15

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., March 13. —At least five persons, including two Negro bellhops from a Columbus hotel, were under investigation Monday for contributing to the delinquency of minors, following the arrest here last week of two 15-year-old runaway girls.

Dist. Atty. Harvey Buck of West Point and Youth Court Judge Paul Jacobs were in conference here most of the day with both city and county officers while questioning persons involved.

The district attorney said he didn't know how many persons would be involved before the investigation was concluded.

It is expected, however, that most will be known by the latter part of the week. Thursday has been set tentatively for trial date in a local justice of the peace court.

Mr. Buck said the two Negro bellhops, James Brown and John Ellis, charged Monday, were being held in the county jail under two counts: contributing to the delinquency of minors and for aiding and abetting procuring for prostitution.

The county jail docket also showed a white woman, listed as Joyce 'Tex' McFadden, was charged with contributing to the delinquency of a minor.

The two 15-year-old white girls who kicked off the investigation were originally picked up by Sheriff W. T. 'Cricket' Spruill for investigation. One was arrested at a local hotel and the other at a tourist court.

One is from Birmingham, Ala., where she reportedly had been living with her grandmother. She said her family was in California and that she and her friend had been working to get money to go to California.

Negroes Beat, Rob Lame Storekeeper

About $1,000 Taken By Trio In Theft At DeKalb

DEKALB, Miss., March 13. —(UPI) — Three Negro men beat and robbed a crippled, 62-year-old storekeeper early Monday.

Fred Wilson, who was found unconscious at his small store near here, told authorities at a hospital the Negroes were waiting for him when he opened for business about 6 a.m.

Mr. Wilson said he drew a pistol when they demanded money but they took the weapon and beat him with it, making off with about $1,000.

He said a fourth Negro kept the motor of their getaway car running during the robbery.

A neighbor of the store—one mile west of here on Highway 16—said he saw the Negroes speed away in a black 1958 Ford.

White Youth Held For Hitting Negro

Jackson Girl, 9, 'Lassoed' From Passing Car

JACKSON, Miss., May 9. (UPI)—A deaf-mute white youth was under arrest here Tuesday for striking a 9-year-old Negro girl with a piece of wire he swung like a lasso from a passing car.

Detective Chief M. B. Pierce said Horace Perry, 18, of Jackson was arrested Monday and charged with assault for the Sunday night incident. Pierce said several other white youths would be arrested.

Gloria Laverne Floyd suffered a deep gash in her head that required three stitches, had cheek bruises, a laceration on her right shoulder and burn marks on her neck.

The girl's grandmother, Mrs. Braxton Floyd, said Gloria was walking home from church with her sisters and friends when a carload of white youths passed in an open convertible.

She said one of them threw the line around the girl's neck and dragged her. "They were waving it like a lasso," she said, "and one stood up and threw it over her head."

Mrs. Floyd said the children were not sure how far the child was dragged along the street. She said it apparently was a distance of several feet. She said the rope slipped free.

Detective Pierce said the child was not dragged and there was no loop in the wire. He said she was merely struck down by the wire as it wrapped around her neck.

Detective Pierce said the incident was one of several during the week end. He said a group of eight or nine Negro boys tossed a brick through a car window and threw a rock at another car. He said they would b arrested.

Negro Sisters Jailed In $400 Life Savings

FOREST, Miss. (Special) — Three Negro sisters who went on a spending spree after stealing $400 from an elderly Negro couple were placed in jail Saturday on grand larceny charges, according to Sheriff Dewitt Simmons.

The sheriff said Deputy Joe Carlisle and Deputy Howard McCrory arrested the girls on a complaint signed by Tinnie Griggs, wife of Eli Griggs. They are both past 80 years old and the money represented their savings.

Sheriff Simmons identified the suspects as Norvail Tucker, 17, Charline Tucker, 28, and Callie Ruth Tucker, 19. Their father, Al Tucker, is a city employe.

One of the girls said they took the money from a pocketbook concealed in the Griggs home under a mattress.

Then, the sheriff said, they embarked on a good time by buying leather coats from a local store, going to the beauty parlor, and "living it up" at a Negro night club.

About $55 of the money was recovered, the sheriff said.

Bomb Wrecks Sheriff's Car

Phone Calls Fail To Lure Officer

MISSISSIPPI CITY, Miss., June 11 (AP)—A bomb wrecked the private car of Sheriff Curtis O. Dedeaux early today but he escaped with his life when he stayed at home.

The explosion about 2 a.m. hurled pieces of the car over a wide area near the two-story apartment house where Dedeaux and two other families live.

Glass scattered over beds in which his wife and 2-year-old stepdaughter lay asleep. Steel fragments damaged three parked cars and a nearby home. The auto's roof landed some 400 feet away.

The Harrison County sheriff was watching TV in his living room when the explosion came.

The explosion was blamed by the sheriff on "someone seeking revenge for some police action taken by this department."

Three Phone Calls

Dedeaux, 40, said three attempts were made to get him into the car just prior to the blast.

"I received three phone calls from unidentified individuals complaining of gambling activities at clubs on U. S. Highway 90," he said.

In each case, the caller asked the sheriff to make a personal check. Dedeaux said he sent deputies, instead.

They found no gambling, he said. One deputy said the club in question had been closed for more than a half hour.

"When the third call came, I did not have any deputies available to make the check," Dedeaux said. "I was just preparing to make the check myself when Deputy Jerry Daniels came by."

Daniels wasn't gone 10 minutes when the explosion blew his car to bits, he said.

Dedeaux has made narcotics arrests and taken action against some whisky dealers in this resort-heavy Gulf Coast county. Mississippi is dry.

Draws Attention

He drew press attention recently when he maintained organized gambling did not exist in Harrison County. An AP survey found gambling in several coast night spots.

In 1960, bootleggers in Marion County—about 30 miles northwest of here—conspired to assassinate Sheriff J. V. Polk. They drew heavy prison terms.

An Air Force demolition expert from Keesler AFB said a preliminary inspection indicated someone attached a dynamite bomb to the car frame below the driver's seat.

13 1961 MISSOURI

Says Dogs Tore Clothes

The Call Charges Filed By Visitor

Two women, both visiting in Kansas City from out of town, made complaints last week of police brutality. One said that she was attacked by a police dog which tore her clothing.

In another complaint, Thomas Lee Green, 29, 1530 Montgall Ave., charges that he was bitten on the right leg by a police dog while sitting in the DeLuxe cafe at 1412 E. 18th St., early Sunday morning, August 13.

The two women are: Mrs. Betty Joan Hunter, 23, of Colorado Springs, who is visiting her mother at 1109 E. 16th St., and Mrs. Patricia Ann DeBow, 28, of Aberdeen, Md., who is visiting her mother at 2727 Askew.

The complaints were filed Monday with the Inspection division of the police department.

Mrs. DeBow told Lt. Russell Stacy, head of the inspection division, that police officers arrested her for no reason and had their dogs attack her as she was waiting for a taxicab iin front of the DeLuxe cafe early Sunday morning, Aug. 13.

Mrs. DeBow said that she had gone to the cafe and had ordered food from the proprietor, Willie (Flossie) Edmonds. She said that she was talking with Edmonds when she noticed a policeman push another woman out of the door and place her under arrest.

The other woman, whom she did not know at the time, turned out to be Mrs. Hunter.

Becoming disturbed about the incident, Mrs. DeBow said that she cancelled her order for food and called a cab to take her home. While waiting for the cab to arrive, Mrs. DeBow said that a police officer approached her and asked her to move on. She said that she told him she was waiting for a cab and that the officer nodded his head in response. Shortly afterward, another policeman wearing badge number 1039 approached her, she said, holding a dog on the leash and told her she was under arrest and pulled her forcibly out of the cafe.

When she asked why she was being arrested, she said the officer pushed her toward the curb in the direction of a patrol wagon parked across the street and caused her to stumble and fall in the gutter. The officer picked her up and attempted to drag her across the street but succeeded in pushing her against the rear of an auto.

When she threw up her arm to balance herself to keep from falling again, she said the dog attacked her, tearing her dress down the front. As they got close to the rear door of the patrol wagon, the woman said the officer gave her another push, trying to make her get in the wagon and caused her to fall face down on the steps in the doorway of the wagon.

She said the dog attacked her a second time, tearing her dress and her slip down the back.

All during the struggle and after she finally got in the wagon, Mrs. DeBow said she heard the officer using foul language and racial epithets against her and Negroes in general. She said he told fellow officers: "I can and I will beat up and lock up a "N----" every chance I get." After a long wait at the scene of arrest she was taken to headquarters along with Mrs. Hunter where she was told that she was being booked for loitering, disorderly conduct and resisting arrest.

"At no time did I curse the officer or resist arrest," Mrs. DeBow said. This is the first time I have ever had an encounter with the police or ever been arrested," she concluded. Mrs. DeBow stopped here to visit friends on her way to join her husband who is stationed in Ohio as a career soldier.

Mrs. Hunter also entered a complaint to the Inspection division. She said she was arrested after she made an exclamation to her brother-in-law after a policeman with a dog refused to let her brother-in-law get some car keys from her brother who was under arrest across the street from the cafe.

She, too, accused the officers of using vile racial epithets. She also accused the officer of threatening to 'sic' the dogs on her after she refused to enter a wagon that held four unknown men and her brother. She constantly protested that she was a dependant of a soldier now on active duty in the army.

Lt. Stacy told THE CALL that investigation of the trouble by his office revealed that the police version was quite different from the complaints made by the women.

He denied that Mrs. DeBow was touched by a dog.

He said also that the women were wrong about the badge numbers of the officers involved. Corporal Charles Barnes, who was acting in the capacity of sergeant at the time of the incident, wore badge No. 1084 and not 1039 as stated by the women, according to Lt. Stacy.

Stacy said that his investigation showed that Mrs. DeBow was bodily carried to the door of the patrol wagon because she refused to move along when ordered to do so by the officers. He insisted, however, that the woman entered the wagon without assistance and was not touched by a dog.

The lieutenant said that Mrs. DeBow's dress was torn in a struggle with Officers B. Kersley and G. Aubrey. The only persons bitten by dogs were Thomas Lee Green, 29, 1539 Montgall, and an unidentified patrolman.

Green was bitten, Stacy said, when he made some sort of movement against one of the officers who was taking him to the wagon. All of the officers questioned denied any policemen used profane language or racial epithets directed at the prisoners or the crowds standing around.

Police investigation station that the whole trouble started when a regular patrol car's officer noted a large crowd of people in the area of 18th and Grove and in front of the cafe and called for help from the K-9 corps to disperse the crowds since the area is known as a "trouble spot."

Most of the people on the street complied with police orders and left the scene, police said. Seven persons were arrested. Mrs. DeBow, Mrs. Hunter and Green were arrested on charges of resisting arrest, disorderly conduct and loitering.

Four other persons were arrested on charges of loitering. They are: Lee Williams Jr., 24, 1318 Highland, Mrs. Hunter's brother and a member of the fire department; Curtis Williams, (no relation) 23, 3[illegible] Cleveland; Winfield Mitchell, 45, 2[illegible] Flora, and George L. Morton, 26, 1[illegible] E. 29th St.

In municipal court Tuesday, Mrs. DeBow was granted a continuance of her case until Tuesday, August 22.

Mrs. Hunter pleaded guilty and was fined $[illegible].

The five others were fined $10 each.



SAYS POLICE DOGS TORE HER DRESS.—Mrs. Patricia Ann DeBow, from Aberdeen, Md., here visiting relatives at 2727 Askew Street, shown to Mrs. Betty John Hunter, a former local resident now living in Colorado Springs, a dress which she was wearing late Saturday night and early last Sunday morning when she was arrested by members of the city's police K-9 corps near 1412 E. 18th St. after being accused of loitering and failing to obey an officer. The officers allegedly told her to move along as they were attempting to disperse a large group of people in the vicinity of 18th and Grove. Mrs. DeBow shows Mrs. Hunter holes in the dress which she says were made when a dog manned by one of the arresting officers jumped on her twice.

Police Booklet Helps Merchants Fight Shoplifting

The advent of numerous shopping centers throughout the Greater Kansas City Area has greatly increased the number of stores easily accessible to the shoplifter and his accomplices. Last year the total loss due to shoplifting in the Greater Kansas City four-county area amounted to 15 million dollars.

In an attempt to prevent shoplifters from operating undetected and unmolested, the Kansas City Missouri Police Department has prepared a brochure entitled 'Shoplifters" which is being distributed to the merchants throughout the Greater Kansas City Area.

This brochure includes suggestions and information which will help merchants (both large and small) to educate their employees in the methods used by shoplifters. Naturally, not all of the shoplifting methods used are detailed in this booklet—only those which are most common and easily detected.

These 'Shoplifting" Brochures are available at the Information-Publications Bureau, Police Headquarters, and any merchant wishing to secure copies may call or write the Information-Publications office and the department will supply the number of brochures needed.

Court Drops Raid Charges

KANSAS CITY (AP)—Charges of frequenting a disorderly house, filed against 205 Negroes after their arrest in a raid April 9, were dismissed Wednesday in municipal court.

Judge Eugene R. Brouse said the defendants apparently were law-abiding citizens who did not realize that liquor was being sold without a license at the Colonade Club.

Three Negroes, however, were fined on other charges in connection with the case. Earl A. Pitts, 41, Wellington, Mo., was fined $200 for keeping a disorderly house and selling liquor without a license. Winfred Coleman, 36, was fined $100 for keeping a disorderly house, and Lewis E. Starks, 32, was fined $50 for carrying a loaded revolver into the crowded club.

Charles E. Franks, 30, the only white man arrested in the raid, will be tried later on a charge of failing to obey the lawful order of an officer. He said he fled through a window during the raid, in which police used police dogs.

VIGILANTES RIDE AGAIN

Missouri Town Organizes Shotgun Patrol

LIBERAL, Mo., March 1. — (AP)—Vigilantes are patroling this town of 600 at night to discourage crime.

To the vigilantes and the townspeople the duty has come to be known as "riding shotgun." Generally two men ride together, one driving and the other armed and ready to shoot like the second man on the old stagecoach runs. They are deputized.

Ed Yoke, an employe of the municipal light and power plant, organized the patrol a month ago after a breakout of robberies and holdups in this area.

Yoke said there has since been a big decrease in thefts and vandalism.

Boy, 13, Is Victim Of Slugging

A 13-year-old member of the NAACP Youth Council was assaulted Monday as he picketed around the board of education building in protest against segregation at Fairyland park.

Victim of the attack was Lawrence Darden Jr., son of Mr. and Mrs. Lawrence C. Darden, 3422 Askew.

The boy was struck in the right eye and knocked to the ground. His eye was severely bruised and blackened and the boy was unable to attend school for two days. He returned to school yesterday, although, his mother said, the eye was still inflamed.

Lawrence described his assailant as a white youth about 19 years old. He was about 5 feet, 6 inches and weighed approximately 135.

Lawrence is 5 feet 3 inches and weighs 110.

He said that the blond youth attacked him without warning and no words were exchanged. His assailant already had passed several other pickets as he approached young Darden.

The attack was so sudden that other youths picketing with Lawrence were stunned into immobility. When they recovered from the surprise, a couple of other pickets wanted to try to catch the assailant and hold him for police, but were restrained by their team leader.

NAACP youth are trained not to resist violence. The team leader notified the NAACP office, which in turn reported the assault to police.

The attack occurred within two blocks of the police headquarters building at 12th and Locust.

It was the first act of violence directed against the youths since they began equal rights demonstrations a year ago.

Police officers took young Darden to General hospital where he was treated for his injury.

Sgt. Victor Toczek, one of two officers who investigated the incident, said that no pickup was issued for Darden's assailant because of "conflicting descriptions" given by the witnesses. However, he said, officers had been instructed to keep a sharp lookout in the downtown area.

He said that the then chief of police, Bernard C. Brannon, had taken a personal interest in the case and ordered a thorough investigation.

The Youth Council began picketing the school board building April 7 in protest against the dismissal of school children from classes to attend PTA-sponsored picnics at Fairyland park. Negro children are permitted to attend the park only for the PTA picnics; they are barred the remainder of the year.

Rev. J. Donald Rice, NAACP adult advisor to the youth group, said the picketing would continue until Fairyland adopts a change of policy.

He praised young Darden and the other youths who were present when Monday's incident occurred.

"The NAACP takes courage in the spirit of the youth as exemplified in the victim of this incident when he begged his parents to allow him to participate in the picketing the next day. This spoke well for all NAACP freedom fighters when he told us that 'this or nothing else can stop us in our march to freedom,'" Rev. Rice said.

He noted that the next day the number of youthful pickets was doubled. This indicated, he said, "their determination that they would not be intimidated."

"The police have said they are doing everything they can to find the person responsible for the attack and the NAACP is doing likewise," Rev. Rice said.

The attack on Lawrence has failed to dim the boy's determination, his mother said yesterday.

She said that her son even wanted to go back and picket again Tuesday, but she made him stay at home because of his eye. "It was all I could do to keep him at home," Mrs. Darden said.

Lawrence is a seventh grade student at Central Junior high school. His father is a teacher at Central High and Manual Vocational schools.

The Youth Council Monday sent a telegram of protest to the City Council of PTA's in which they said:

"We regret to find member groups of your organization still listed to sponsor picnics at Fairyland park. Fairyland's policy of racial discrimination against Negroes remains unchanged. Your support aids this un-American and undemocratic policy. We hope that you will see fit in your meeting today to reconsider and call upon all of your PTA groups to immediately withdraw and cease all use of Fairyland park until the park joins in step with our Constitution and true democracy. If we may be of any help please let us know. Please be assured that the NAACP will continue to employ direct, positive, creative action in protesting vigorously Fairyland's present policy and the actions of all who support this park. We hope that the parents and teachers of our children who are tomorow's leaders will not fail them and our community in this hour. The decision is yours."

The telegram was signed by Gloria Newton, Youth Council president; Daisy L. Brown, youth work committee chairman, and Rev. Rice as director of operations of the NAACP branch.

Similar telegrams were sent to all of the 46 PTA groups which are still scheduled to participate in the picnics, Rev. Rice said.



VICTIM OF ASSAULT. — Lawrence Darden Jr., 13-year-old NAACP picket, models the picket sign he was wearing when he was assaulted Monday while walking around the board of education building. Lawrence was struck in the eye and knocked to the sidewalk by a white youth in the unprovoked attack. Young Darden's eye was severely bruised and blackened, but was returning to normal when this photo was made several days later. He was unable to attend school for two days as a result of the injury.

13 1961

NEVADA

DRUG USE IS CHARGED

Four Ellington Bandsmen Are Arrested

LAS VEGAS, Nev., Feb. 9 (AP)—Four members of Duke Ellington's famed jazz band were arrested Thursday on narcotics charges and sheriff's detectives said they found heroin in their living quarters. Taken into custody as they were walking to a rehearsal at a hotel were John Willie Cook, 36, Pittsburgh, Pa.; Andrew Wilcox, 36, and Willis Raymond Nance, 47, all trumpet players; and Paul Consalves, 40, New York, a saxophone player. Nance and Wilcox gave local addresses.

Also arrested were William Henry Black, 37, an arranger for the band, and Joan Williams, 27, who was with the musicians.

Black was booked for carrying a concealed weapon — a straight-edge razor. Miss Williams was booked for vagrancy.

Bell said all the musicians showed evidence of collapsed veins—typical of narcotics users —and had needle marks on their arms.

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Didn't take $10,000 says sorority leader

MONTCLAIR, N.J. — The Eastern Regional Director of the National Sorority of Iota Phi Lambda was released in $3,500 bail Friday on a charge of embezzling more than $10,000 over a three-year period.

Miss Alexandria (Bobbi) Barry, 48, of 60 Elmwood Ave., was arrested last Wednesday in Glen Ridge and accused of taking the funds from Mountainside Hospital, where she is employed as a $60-a-week assistant bookkeeper.

This community was shocked on learning of the charges against the widely-known civic and sosority worker.

MISS BARRY pleaded innocent to the embezzlement charge and waived a preliminary hearing in Glen Ridge Municipal Court. She remained in jail from Wednesday until Friday morning when friends raised bail money for her.

Besides her activity with Iota Phi Lambda, Miss Barry worked with the Montclair Community Welfare Council, the American Association for the United Nations and other charitable projects.

The Rev. Lloyd L. Noyes, pastor of First Baptist Church, announced Thursday that he was heading a group to raise money to make restitution to the hospital of the full $10,646.

* * *

POLICE SAID she took the money by raising the amount on petty cash checks. She was quoted as saying she used the money to buy items for her home, clothes and living expenses.

Miss Barry resides with her 74-year-old mother, Mrs. Loretta Barry, and a sister, Miss Elita Barry.

Sorority, Church And Civic Worker Embezzles $10,000 From Hospital

MONTCLAIR, N. J. (ANP) — A high-ranking sorority official who is also active in civic and community affairs admitted embezzling more than $10,000 from Mountainside hospital, Glen Ridge, N. J., where she has been employed for more than eight years as a $60 per week bookkeeper.

Miss Alexandria (Bobby) Barry of Montclair, 47, regional director of a national sorority, was arrested at her office when a spot audit of the hospital books over a three-year period disclosed the shortage.

She was remanded to the Essex county jail after pleading innocent and waiving a hearing in Glen Ridge municipal court.

Friends Rally

Friends immediately started to come to the assistance of Miss Barry, including clergymen and city officials.

Warren Rainier, hospital director considered her a "trusted employee and hard worker" and indicated that the hospital did not feel punitive.

The Rev. Lloyd Noyes, prominent white pastor of the First Baptist church of Montclair, with whom Miss Barry worked on the Montclair Community council, is heading a group of her associates in an attempt to raise funds to make restitution to the hospital.

Raising Funds

Several members of the Montclair Women's league of which Miss Barry is president and founder, and members of other civic and community organizations have begun fund raising campaigns.

Robert B. Sheppard, town attorney and a partner in the Bennett and Sheppard law firm of Montclair, volunteered his services and arranged for her bail which was set at $3,500.

Miss Barry, according to police admitted that she spent the money, which was taken from the hospital petty cash fund, for clothing, household items and medical expenses for her mother.

Sheppard, who had worked with her on many charity drives said he had known her for 12 years and had "never heard a bad word spoken against her." He also said "I'm sure all her friends will come to her support."

Police Chief Shocked

Montclair police chief Harry Knowles, whose duties frequently brought him in contact with Miss Barry at the hospital, said he was "shocked" when notified of her arrest.

The tall, attractive woman, shared a modest apartment with her, mother, Mrs. Loretta Barry, a 74-year-old art critic and a sister, Elita Barry in Montclair.

Miss Barry's interests' ranged from volunteer work at every level in the community to an interest in literary classics. She is also an interesting speaker.

Active In Church

She is an active parishioner of Trinity Episcopal church, a member of the American Association of the United Nations; Eastern Regional director of Iota Phi Lambda sorority; a member of the Montclair Unit of the National Council of Negro Women; executive board member of the Montclair chapter of the League of Woman Voters and a worker for the Community Chest and other welfare drives held annually in Montclair.

Miss Barry's associates drew a picture of her as a hard worker and respected community leader who lived a quiet and modest life and only traveled in the interest of helping her sorority and other civic organizations.

Hospital director Rainier indicated that none of the fund is expected to be recovered, but that the hospital is covered for its losses.

POLICE ALARMED BY MOB ATTACKS

Many Factors Cited in Rise Over the Last 10 Years —113 Hurt Recently

By FOSTER HAILEY

In the first six months of this year 1,171 New York policemen were attacked while trying to make arrests. Two hundred and sixteen of them were injured seriously enough to require medical attention.

During July and through August 14 both assaults and injuries increased not only in incidence, but also in viciousness. In that forty-five-day period 133 policemen were injured—almost double the sixty-nine hurt during the corresponding period in 1961.

The attacks reflect a continuation of an upward trend in the last ten years.

The figures alarm police officals, particularly so because of an increasing public participation in the attacks.

Professional Hazard

At least a half a dozen times in the last month the police radio has had to make the urgent appeal to patrol cars in the area to "assist an officer." That alarm is sent only when the situation has got beyond the control of the policemen on the scene.

Ever since Peter Stuyvesant set up the first police system on Manhattan more than 300 years ago, policeman have accepted the fact that they can expect trouble when making an arrest. No one likes to feel the heavy hand of the law on his shoulder.

What the police cannot understand is why, when they corner three teen-aged boys carrying loaded shotguns—as two men did on Aug. 14 in the Bronx—more than 100 youths and adults gather to jeer them and throw beer cans and rocks at them from roofs and the street.

Various reasons are given for this evidence of mass hostility to authority. They include the weather court leniency (a complaint of ten made by the police), —racial tensions, slum housing and a general breakdown of family life and public discipline.

The weather is a factor. Assaults on the police in the summer are more than double the number in cold weather. They triple and quadruple during a hot spell such as New York had in late July.

Crowded housing is another. The greatest incidence of assaults on police are in the slum areas of Harlem, the Lower East Side of Manhattan, the Brownsville and Bedford-Stuyvesant areas of Brooklyn, South Jamaica in Queens and the South Bronx.

Language a Barrier

The influx of many Puerto Ricans in these areas over the last few years many of them speaking little or no English, has raised the additional barrier of language. Every patrolman in a Spanish-speaking area has a book of handy phrases. But he has little time to consult it when trying to break up a rowdy street-corner gathering or explain to a jeering crowd why he has made an arrest.

Some Harlem leaders have suggested more Negro policemen there and fewer whites. A retired detective whose days on the force began just after World War I believes part of the blame can be placed on the mechanization of the police. A patrolman doing his rounds in an automobile at twenty-five miles an hour does not have the contact with the people his sore-footed predecessor had.

"I knew every shopkeeper, every doorman, every family on my beat," he said. "And all the kids, too. I tried to make friends with them. I was always tipped off when a troublemaker moved in.

"Of course, the city has grown. It would take a lot more men to walk the town now than it did then. But I think that is the answer. And I think you'd stop a lot of trouble before it happened."

Commissioner's Feelings

Michael J. Murphy, who worked his way up through the ranks to the Commissioner's quiet, paneled office in Police Headquarters at 80 Centre Street, is inclined to give weight to all these arguments.

He would like nothing more, he said the other day, than to have the 4,000 more policemen that one of the mayoralty candidates said he thought the city needed.

There also is no doubt that Spanish-speaking policemen in Spanish Harlem, the South Bronx and other areas where there are a lot of Puerto Rican residents would do a better job than those who do not speak the language.

The same probably would be true of a Negro policeman in Harlem, except that "this department doesn't practice segregation."

Eventually, though, the question comes down to the attitude of this city's 8,000,000 citizens.

"The public generally gets what it asks for," Mr. Murphy said. "If they don't want these sort of things [mob attacks on police] to happen, then they won't happen."

Citizens' Role Cited

He put it even more bluntly in a talk he made at a promotion ceremony on July 31.

"The police cannot fight crime and the public at the same time," he said. "Unless the public cooperates by reporting crime, giving evidence, testifying in court and aiding police instead of hindering them, crime will go on unchecked."

Later he said that he didn't expect every citizen who saw a policeman under attack to rush in and help. But the least they can do, he said, is to call the police and report that trouble is brewing.

Too many people, it seems, are like a woman member of a police-organized Community Council in the Bronx. Such councils have been organized in all the city's precincts to work with and advise the precinct and area commanders.

Capt. Thomas Regan had appealed to the group of twenty-five civic leaders he had called to meet with him to cooperate by reporting law violations. He had made a special plea for information as to who had dropped a heavy block of concrete on one of his police cars a few days before.

"Someone in the neighborhood must know who did it," he said.

"Would I or anyone else here become an informer and then a victim, if the person ever found out?" the woman asked.

Call for Aid Urged

Captain Regan said mildly that he thought it was the duty of every citizen to report a crime he knew had been committed.

"We'd like to have you identity yourself when you call," he said. "But even if you don't, call and help us out."

Commissioner Murphy said he was pleased with the public response to his recent request for just such help. He also noted the response by clergymen, civic leaders and many citizens, and is hopeful this cooperation and interest can be maintained.

Captain Regan heard several criticisms at his meeting on police slowness in answering calls and of some discourtesies.

"Come tell me about those things, too," he said. "We know we have our faults. We are not perfect."

There also was criticism that just holding a meeting once in a while accomplished little. William Hopkins, a Youth Patrolman attached to the Forty-eighth Precinct, who acted as secretary of the meeting, said that would not be the case in that precinct.

He and others present also said the good deeds the police did also often went unnoticed and unrewarded by newspaper reports.

P. A. L. Work Noted

"We support a lot of P. A. L. [Police Athletic League] centers," he said. "Right here in this precinct we recently have organized two big expeditions to the beaches, 1,200 each time, and I'm taking another big group of youngsters up to Monticello tomorrow. We got thirty spray nozzles to put on fire hydrants on hot days so the kids can cool off. You seldom read about those things."

There seems to have been a growing awareness in neighborhood councils in recent weeks, spurred on by newspapers reports of attacks on police, that something must be done.

Some of the strongest editorial condemnation of recent mob action in Harlem and in Negro and Puerto Rican neighborhoods in the Bronx and in Brooklyn has come from the Spanish-language press, the Negro press and from the smaller radio stations that beam their programs at those areas.

One of the most biting attacks on the mass disturbance in Harlem on July 28 is carried in the Negro news weekly Jet of Aug. 24.

The headline said, "Politics, Poor Negro Leadership." The article said there were too many demagogues on street corners in Harlem preaching race hatred and too few Negro leaders attempting to combat such tactics. It praised the efforts now being made by A. Philip Randolph, respected head of the Brotherhood of Sleeping Car Porters, to organize Negro leaders, including those of the Black Muslims and Black Nationalists, to formulate a program. It absolved the Black Muslims, incidentally, from any blame for the July 28 incident.

Sociologists and even the retired police detective are inclined to take a somewhat philosophical view of the present outbreaks.

Prof. Oscar Handlin of Harvard, in his book "The Newcomers," one of the series being underwritten by the Regional Plan Association, points out that there have been successive waves of trouble as successive waves of immigrants have come to the city.

Period of Adjustment.

They were in a period of adjustment, he pointed out, and often resentful of authority and of new restrictions they met here. That was true of the Irish, the Italians and the Eastern Europeans. All finally were assimilated.

The more recent newcomers to the city, the Southern Negroes and the Puerto Ricans and others from Latin America, are going through a period of adjustment now, he said. However, there is the added problem of color.

"Whether the development of the future moves in one direction or the other will depend on the people of the city," Professor Handlin wrote.

"They will have to choose whether these newest arrivals are to be welcomed as equals or treated as enemies, whether thye are to be given seats in the same school and apartments in the same houses or excluded as foes to the existing order—which they will then become. Much hangs on the character of that choice."

The retired detective said he did not think the problem was primarily racial.

"The Irish gangs were the big problem when I was a young cop," he said. "But there is this difference. We generally had it out with fists or clubs. Now you get a knife or a zip-gun slug in the belly. But I think it will pass. They'll quiet down too, just like the Irish and the Italians and the Poles did. A better job, a better house, more money calms a fellow down."



POLICE ASK COMMUNITY COOPERATION: Capt. Thomas Regan of Forty-eight Precinct addresses a meeting of a Community Council in Bronx. Such councils, composed of civic leaders, have been organized throughou[illegible]v to work with their precinct heads.

Police Manhandle African Diplomat

UNITED NATIONS, N.Y. (UPI)—The 46-nation Afro-Asian group Thursday decided to protest to U.N. Secretary General Dag Hammarskjold against the treatment of an African diplomat by New York police last Saturday.

The diplomat, Michael Collet, deputy permanent representative of Guinea at the United Nations, charged he was manhandled by police following a traffic accident in New York's Harlem district.

Mayor Robert Wagner said Tuesday that a police investigation had exonerated members of the police in the incident.

The 29 African members of the United Nations announced Wednesday they would demand "complete satisfaction in the case, which they turned over to the larger Afro-Asian group, representing nearly half the United Nation's 99 members.

Police said Collet assaulted a patrolman instead of being assaulted as he charged.

Guinean official said Collet is still confined with injuries allegedly suffered at the hands of police in a squad car taking him to the station.

The Afro-Asians named a seven man committee to draft a letter to Hammarskjold expressing their "sense of outrage and concern" over the incident.

The Guinean version of the incident is that a limousine driven by Collet was involved in a collision with a taxi. Collet charged he was beaten by the taxi driver also.

The department also said it was seeking co-operation of Federal agencies and state and municipal authorities to prevent such incidents.

Collet charged the New York Police Department with discrimination, claiming he was beaten by police after he was arrested last Saturday in connection with an altercation with a taxi driver.

Afro-Asian nations in the United Nations were readying a protest to United Nations Secretary General Dag Hammarskjold against alleged racial discrimination against non-white diplomats in New York.

In Bambako, capital of the Mali Republic, the government of Mali lodged a formal protest with the United States ambassador. It said Mali was uneasy about the "repetition of provocations in which colored diplomats are more and more the victims in the United States."

The New York Civil Liberties Union called on Mayor Robert F. Wagner Friday to name a panel of distinguished citizens to investigate the Guinean diplomat's charge that he was beaten by police.

Wagner has said an investigation by Police Commissioner Michael J. Murphy absolved the policemen.

In a statement issued last night, the State Department said:

"The United States Government wishes to assure all diplomats that it is aware of its obligation to see that delegates to the United Nations and other representatives to this country are afforded the protection and courtesy to which international law and simple rules of civilized human conduct entitle them."

Regret Expressed In Racial Incident

Apology Offered In Case Of Guinea Official

WASHINGTON, Sept. 1. — (UPI)— The State Department has expressed official regret over a racial incident in New York City involving Michel Collet, deputy chief of Guinea's United Nations mission.

African Diplomat Freed After Battling Officer

NEW YORK, Aug. 26 (AP) —Police reported today that an African diplomat fought in Harlem last night with a patrolman investigating a minor automobile accident.

The African, Michel Collet 38, deputy permanent representative from Guinea to the United Nations, invoked diplomatic immunity upon being taken to a police station. No charge was placed against him.

Adlai E. Stevenson, United States Ambassador to the United Nations, expressed "concern and regret" to Ambassador Diallo Telli of Guinea and ordered an investigation of the incident.

The police gave this account:

Mr. Collet's automobile, bearing diplomatic license plates, struck the rear of a taxicab driven by Kenneth L. Morris of Manhattan. Mr. Morris asked for his license and an argument ensued.

Patrolman James O'Grady, 25, of Queens, intervened. He and Mr. Collet got into a fight. Mr. Collet suffered a forehead laceration and the patrolman a sprained left thumb.

Detective Sergt. Richard Dillon, driving by in his own car, stopped and helped Patrolman O'Grady take Mr. Collet into custody. The policemen are white.

Police said they learned at the station house that Collet was a member of the diplomatic corps. He refused medical attention and was taken to his New York residence. Mr. Collet declined comment to newsmen.

Deputy Police Commissioner Walter Arm said later the information on hand "tends to support the policeman in this incident."

Says Wife Blinded Him

Man Sues N.Y. for $1 Million

WHITE PLAINS, N. Y.—A Seaman who was blinded last August, when he said his mentally ill wife threw lye solution in his face, has filed a $1,000,000 suit against New York State for negligence in the State Court of Claims.

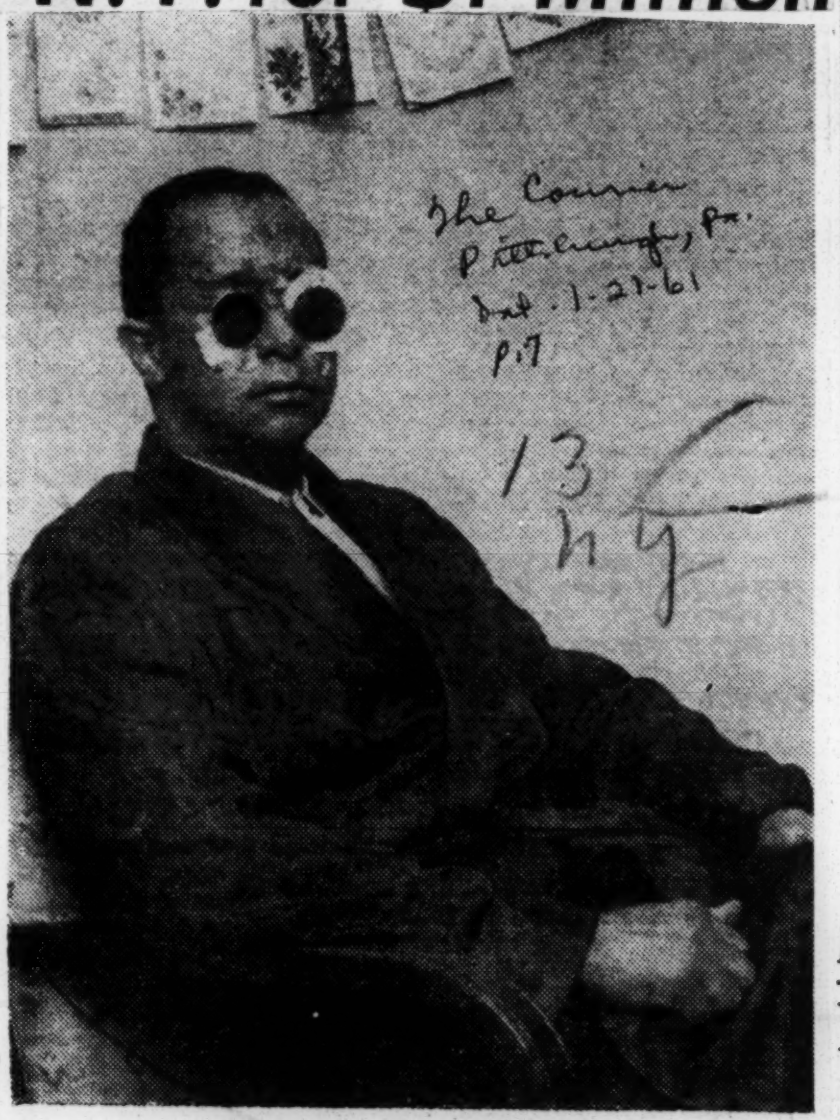
Through Atty. Martin K. Kahn, 66 Court St., Brooklyn, Thomas D. Sandford Sr. charges that the State was negligent in failing to return his wife, an escapee "with assaultive tendencies" to Hudson River State Hospital.

Plaintiff said the State should not have allowed his wife to remain outside the institution without examining to determine if she was in an appropriate mental condition and without taking proper precautions to prevent her causing harm to members of the public "ane especially the claimant."

MR. SANDFORD, formerly a yeoman for several years on the S. S. "United States," said he went to his sister-in-law's home where his wife lived to get their six-year-old twins, whose custody were awarded him by the courts. He said his wife had a camou flaged bottle of lye solution which he said she threw in his face. He further charged that it was hours before his eyes were irrigated at Bellvue Hospital and that although the incident took place at 6 P. M. on the day of his injury, third degree burns on his back were still untreated at 2 A. M. the following morning.

Sandofrd was transferred, with the help of friends, to the U. S. Public Health Service Hospital at Staten Island where he remained for two months. He was discharged from the hospital blinded and with an impairment of the use of his left leg because of burns to his hip. He is still under medical care and can only move around with the help of others. His two children live with him under the care of a governess.

Following the incident his wife was arrested for felonious assault and later sent to Hudson State Hospital where she remains a patient.



THOMAS SANDFORD SR.
. . . charges negligence



NO ONE BELIEVES HIM—Kenneth LeRoy Brown jr., with his mother, Mrs. Leroy Brown, at their home, 71 Clifton Place, Brooklyn, yesterday after he was freed in Felony Court in the strangling of a sixty-year-old woman he confessed last September.

He Says Police Beat Him

Boy, 15, Is Freed in Slaying; All Disbelieve 'Confession'

By Sam Rubenstein

Kenneth LeRoy Brown jr., a fifteen-year-old boy with an I. Q. of 46, was freed yesterday afternoon in Brooklyn Felony Court because no one believed he was guilty of the strangling he confessed to in September. The grand jury didn't believe it, the district attorney didn't believe it and Judge Herman Weinkranz, who released him, didn't believe it.

And the police of the Classon Ave. station weren't as sure of his guilt as they were six months ago when they extracted the confession from the boy. After yesterday's court proceedings, Kenneth said he falsely confessed because the police beat him and held a gun to his head, although this did not come out in the court proceedings yesterday.

Woman Found Slain

Kenneth, who lives at 71 Clifton Place, Brooklyn, was arrested Sept. 4, several hours after the body of Mrs. Wilma Tinsdale, sixty, was found in her apartment at 31 Clifton Place. She had been strangled and robbed of a dollar bill.

A week before, Kenneth had been picked up for peeping into the window of a woman's apartment, so he seemed a likely suspect. After five hours of questioning at the station house, police said he had "broken down and confessed."

A few days later he was taken to Mrs. Tinsdale's apartment and he "re-enacted" the crime for the benefit of investigators and a news photographer who had the boy pose with his oversize hands held in front of him. The picture was published. He was held without bail and Magistrate Benjamin Schor praised the police for "a brilliant piece of detective work."

Fingerprints Don't Match

But when District Attorney Edward S. Silver began to prepare evidence, he found it wasn't the open and shut case everyone thought it was. The fingerprints left by the murderer in Mrs. Tinsdale's apartment did not match Kenneth's prints. Kenneth's prints were not in the room. Further checking showed that the fingerprints of the unknown strangler were the same as those left in a similar unsolved killing in Brooklyn the preious July.

Mr. Silver and his assistant, Joseph Hoey, checked out leads and possible witnesses but they couldn't find any firm evidence to add to the confession and Kenneth's delinquent background. Meanwhile, Kenneth was undergoing psychiatric tests at the Bellevue Hospital prison ward. He was determined to be retarded. He was not given a lie-detector test.

Tuesday night, after four days of listening to the facts of the case presented by Mr. Silver and Mr. Hoey, the grand jury returned "no true bill" against Kenneth.

Dismissal Asked

Yesterday Mr. Hoey told the court that "our purpose is to bring justice," and asked that the charge be dismissed. He said, however, that the boy had been properly booked and held on the strength of the confession. No mention was made of the circumstances of the confession itself, and nothing was said suggesting it might have been obtained through coercion. Outside court, Mr. Silver said he had no evidence that force had been used in getting the boy to tell the story.

Kenneth left court with his mother, Mrs. Ethel Brown, and he responded and spoke with the quickness of a normal boy. "I'm happy to be out and I'll be proud to go back to school," he said. He was in the eighth grade at Public School 117 when he was arrested. His fother, Kenneth LeRoy Brown

sr., is a grocery clerk.

The boy said he told the story of killing the woman after police "hit me with their fists, in the stomach and the jaw. I tried to tell them I didn't do it, but they wouldn't listen. They kept on hitting me." He said he heard one of the men addressed as inspector. When another man held a gun on his forehead he said, "I got scared and made the confession."

No Indication of Claim

The family and Kenneth's attorney, Norman Johnson, did not indicate wether they would file for compensation for the false arrest and the six months he spent in jail. The city does not volunteer compensatory payment in such cases.

As for the alleged beating, a spokesman in the community relations office of the Police Department said: "Every policeman knows that a confession obtained under coercion just won't hold up in court. You just don't do it if you want to get a conviction."

When it does occur, he said, the damaged party "can go to any precinct in the city and file a complaint." An investigation would be made and if the officer or officers were found guilty they would be punished, he said.

Singer Bears No Grudge In Shooting

NEW YORK (AP)—Negro rock 'n' roll singer Jackie Wilson left Roosevelt Hospital Saturday, saying he bears no grudge against the woman fan who shot and critically wounded him Feb. 15.

"I have no malice," Wilson told newsmen as he was assisted to a car by his wife.

Of his assailant, he went on to say: "It was an accident. I forgive her."

Wilson was shot twice by Juanite Jones, 28, also a Negro. She told police she was a devoted fan of Wilson's but was "all mixed up."

The singer left the hospital with one of the bullets still in his lower abdomen. Doctors decided not to operate to remove it.

With Wilson was his agent, Nat Tarnopol. The agent said the singer had lost $100,000 in commitments as a result of his hospital stay.

Authorities lodged a felonious assault count against Miss Jones. She is free in $2,500 bail pending a hearing April 28.

Wilson maintains an apartment here but he and his wife have their home at Highland Park, Mich.

12 ARE ARRAIGNED IN POLICE ATTACKS

10 Men and 2 Women Held in 7 Brooklyn Incidents

Ten men and two women were arraigned yesterday in Kings County Court on indictments charging they assaulted policemen.

As the defendants pleaded and were held in bail ranging from $1,000 to $7,500, District Attorney Edward S. Silver said a grand jury would prefer similar charges against twenty more persons in the next week.

He said the people of Brooklyn "would not stand for the thwarting of police officers who are our first line of defense."

The defendants were arraigned on charges of assault, resisting arrest, and unlawful assembly. They were accused of having punched, kicked, bitten or mauled policemen in seven incidents.

County Judge Samuel S. Leibowitz accepted pleas of not guilty. Most of them were unable to provide bond. No trial date was set.

Those indicated, all but one of whom live in Brooklyn were: Ronald Sumter, 17 years old, of 1130 Decateur Avenue; Carlos Alballan, 26, 219 Pulaski Street; Jose Perez, 20, and Emiliano Medina, 28, both of 134 Twentieth Street; Robert Louisa, 26, 64 Rush Street; Joseph Gallo, 28, and his brother, Murray, 29, both of 46 Rush Street; Ralph Bynum, 30, 30 Woodbine Street; Domingo Arroyo, 21, 323 Lexington Avenue, and Marcel McClintock, 29, and his wife, Naomi, 34, both of 932 Gates Avenue. The twelfth, is Mrs. Louise Pinkeney, 25, of 71 East 119th Street.

AMEZs Dedicate N.Y. Offices

NEW YORK—A large group of AME Zion dignitaries converged on New York City, Aug. 9, to attend the dedication ceremony for AME Zion offices in the magnificent new National Council of Churches Building, 475 Riverside Drive.

The suite, on the 19th floor, the Foreign Missions Department, was dedicated in memory of the first prelate of the church, the late Bishop James Varrick, and in honor of Senior Bishop W. J. Walls, prelate of the First Episcopal District.

The denomination approved an expenditure of $10,000 to establish quarters in this ecumenical venture.

MOTHER FACES CHARGES

Bronx Negro Girl 'Cooks' Baby Sister In Hot Oven

NEW YORK (AP) — A teen age girl's prank of placing her infant sister in a hot oven with almost tragic results led Saturto court action against the mother, who was away at the time with a male friend.

The infant, Yvonne Hardy, 1[illegible] months, who suffered third degree burns Friday, was in serious condition in Lincoln Hospital, the Bron[illegible]

The mother, Mrs. Margaret Hardy, 32, who has eight children, was arraigned in Bronx Magistrates Court on a charge of imperiling the health of a minor. Magistrate Mitchell J. Sherwin set bail at $1,000 pending a hearing Monday.

Her daughter, Jewel, 14, accused of placing the baby in the oven, was booked on a juvenile delinquency charge. She will appear in Bronx Children's Court Monday.

The family is Negro.

Police gave this account:

EIGHT CHILDREN

The mother, estranged from her husband, went to Manhattan Thursday night with a male acquaintance, leaving six of the eight children in her Bronx apartment.

Some time after midnight, Jewel turned on the oven to heat the apartment. She turned the oven off at about 2:20 a.m.

About 10 minutes later, not realizing it still was dangerously hot, she placed the baby in the oven with the jocular remark:

"I am going to cook you."

The baby screamed. Jewel took the infant out and tried to treat her until the mother returned home at 8:30 a.m.

Jewel was taken to the Bronx Youth House for girls. Two of the children were placed with their godparents, one was taken to a foundling hospital and three were taken to a welfare department children's shelter.

13 1961

NEW YORK

MEMBERS OF
BLACK MUSLIM confined in
Clinton Prison

MUSLIM CONVICTS WIN BIAS HEARING

Appeals Court Acts in Case Charging Rights Violation

By EDWARD RANZAL

Three convicts who were converted to the Black Muslim sect while in prison were granted a hearing yesterday on charges that their religious beliefs had subjected them to solitary confinement in Clinton Prison, Dannemora, N. Y.

In a 2-to-1 decision, the United States Court of Appeals reversed a dismissal of the charges by Judge Stephen W. Brennan in Federal Court in Syracuse. The lower court was ordered to conduct a hearing to determine whether the civil rights of the prisoners had been violated.

The three convicts are James Pierce, serving a five-to-fifteen-year sentence for robbery; Martin T. Sostre, serving fifteen years to life as a fourth felony offender, and William SaMarion, serving six to twelve years for sale of narcotics.

Last January, Edward E. Jacko Jr., lawyer for the three, charged before Judge Brennan that their rights under the Civil Rights Act had been violated. He raised the following points:

¶The prisoners had been denied permission to purchase the Koran.

¶They had been subjected to solitary confinement because of religious beliefs.

¶They had been denied permission to establish contact with a spiritual adviser of the Islamic faith.

Koran Now Provided

Since then the Koran had been provided, and the prisoners dropped the third charge. The only matter to be determined by Judge Brennan will be solitary confinement.

The Appeals Court's opinion was written by Judge Charles E. Clark. Judge J. Joseph Smith concurred and Judge Archie O. Dawson dissented.

Judge Clark pointed out that the Supreme Court has said that freedom of religion and of conscience is one of the fundamental "preferred" freedoms guaranteed by the Constitution.

The majority held that the charges of religious persecution raised by the prisoners "state a claim under the Civil Rights Act which should be entertained by the district court." Judge Clark wrote:

"Either the plaintiffs were punished solely because of their religious beliefs or they were not. If they were, the defendant's [Warden J. E. La Vallee] conduct violates both the state statute and the United States Constitution. If the plaintiffs were punished for legitimate reasons, neither law is violated.

"We find that this is not a case where Federal courts should abstain from decision because the issue is within state cognizance. We adhere to this view despite the provision in the New York Correction Law that prisoners may sue to secure their rights to religious liberty in state Supreme Courts."

3 MUSLIMS TO GET TRIAL

U. S. Appeals Court Orders a Hearing on Rights Charges

The United States Court of Appeals ruled here yesterday that a Federal court in Syracuse must hear the complaints of three Negro Muslim inmates against the warden of Clinton Prison at Dannemora.

The District Court at Syracuse had dismissed the prisoners' suits against Warden J. Edward La Vallee. The prisoners charged that they had been subjected to solitary confinement because of their religious beliefs.

The three complaints are among a number of Negroes in prisons in New York and other states who have brought legal actions involving their religion, which is a home-grown sect of the Moslem religion.

In a 5-to-1 decision, with Judge Archie O. Dawson dissenting, the court of appeals sent the case back for retrial in Syracuse. It said that the prisoners had stated a claim under the Federal civil rights law "which the district court should entertain."

The plaintiffs are James Pierce, Martin T. Sostre and William Samarion.

13 1961

NORTH CAROLINA

AUGUST
MONROE, N.C. (MR. ROBERT WILLIAMS)
KIDNAPPING INDICTMENT RETURNED
AGAINST ROBERT WILLIAMS.

CAROLINA HOSTAGES HELD

The Montgomery Advertiser

Negro Leader Indicted In Kidnaping

MONROE, N.C. (AP) — A kidnap indictment was returned Monday against Robert Williams, controversial Monroe Negro who long has advocated violence by his race.

The Union County grand jury returned the true bill after hearing testimony by a white couple held hostage by Negroes Sunday night. The couplt said they were abducted by about 200 armed Negroes, and tied up but later released.

About 30 officers immediately raided Williams' house where the Negro leader has kept a large store of arms. Williams himself was believed to have fled.

Also raided was the rented so-called "Freedom House" near Williams' home. Pickets from outside the state have been staying there.

Monroe police asked the FBI to issue a nationwide alert for the goateed Williams.

The reported kidnaping climaxed a weekend of racial violence in this city of 10,000, where Negro and white pickets, some from as far away as England, have marched with placards for days.

A policeman was wounded Sunday by a Negro he said he was trying to disarm. Sporadic fighting over the weekend resulted in 47 arrests. Extra highway patrolmen were ordered in to help keep order. The city appealed to the federal government for help.

The bearded Williams, 36, an avowed admirer of Cuban Prime Minister Fidel Castro, apparently had fled. Police patrolled the area of his home, where Williams has boasted of maintaining a large arsenal. Reporters have seen a large number of firearms there.

The muscular Williams has said he was stockpiling weapons in "an armament race with the white people of Monroe."

An uneasy quiet returned to this county seat of 10,000 population, 24 miles east of Charlotte. The pickets did not march and extra law officers patrolled the city.

Mayor Fred Wilson called the City Council into a second emergency session to consider ways of preventing further outbreaks of racial violence.

In Raleigh, Gov. Terry Sanford declared that the Monroe situation "is under control, and is going to be kept under control."

The governor ordered 50 state highway patrolmen and two State Bureau of Investigation agents here to assist the overworked Monroe Police Department headed by Chief A. A. Mauney and Union County Sheriff D. Shelly Griffin's men in restoring order. The FBI, asked by the Justice Department to learn the facts also dispatched agents to watch the situation.

The middle-aged couple who were held hostage, Mr. and Mrs. G. Bruce Stegall of the nearby community of Marshville, testified before the grand jury which Superior Court Judge Allen H. Gwyn ordered to take up the interracial situation.

The Stegalls said they took a short cut on their way home Sunday night and a band of about 200 Negroes, many of them armed, stopped them on the street where Williams lives.

"TIED US UP"

"We were scared," said Mrs. Stegall, who said they had nothing to do with the racial disturbances and passed through Williams' neighborhood by chance. "They took us in Williams' home and tied us up. They had guns on us. The house was filled with Negroes and others were outside in the yard and around the house."

About 20 shots were fired at another car containing white persons which passed near Williams' house, said highway patrol Lt. C. L. Teague.

Mrs. Stegall said Williams didn't help tie them up but that he telephoned Police Chief Mauney, said he had white hostages and demanded the release of Negro pickets who had been arrested.

"He told us he couldn't let us go," said Mrs. Stegall, "because the mob outside 'would just get you and I can't do a thing.'

"The mob was hollering, 'Let me kill them.'"

The Stegalls were bound and taken to a vacant house near Williams' but were released later and escorted out of town by two carloads of Negroes, they said.

Cop Is Shot In Carolina Racial Fight

The Herald-Dispatch, Huntington, W. Va.

MONROE, N.C., Aug. 27 (AP)—Mayor Fred Wilson called an emergency session of the City Council tonight in the wake of racial picketing violence that left a policeman wounded.

In a telegram to U.S. Atty. Gen. Robert Kennedy, the mayor said "this city has been picketed by a Northern army of an estimated 75 freedom riders." He asked guidance and that "these carpetbaggers" be "restrained by your office."

Mon., 8-28-61

The City Council said it would ask Superior Court Judge Allen H. Gwynn tomorrow for an injunction to stop the picketing.

Police Chief A. A. Mauney said 32 persons—24 Negroes and eight whites—were arrested in connection with today's outbreak which occurred as about 25 pickets prepared to disband.

P. 5

Shot in Leg

The policeman, J. W. Rushing, was shot in the leg and several Negroes were beaten this afternoon when the policeman intervened to stop 23-year-old Constance Leever of Durham, England, from entering a car with the Negroes.

Miss Leever and numerous other persons were jailed.

Mauney said Robert Williams, Monroe Negro integrationist, claimed the Negroes held a white couple hostage and would hold them until the Negro pickets are released from jail.

Mauney said he could not confirm the hostage report.

The state brought additional highway patrolmen into Monroe to help local police keep order. Mayor Wilson deputized firemen to augment Monroe police.

Chief Mauney also set up barricades on the street leading to Williams' home, evidently to prevent curiosity seekers or others from entering the area.

Racial Violence Flares; Union Officer Wounded

The News and Observer

MONROE (UPI)—Several Negroes were beaten and a white policeman was shot in the leg when violence flared here as the policeman intervened to keep a 23-year-old English white girl from entering a car with a group of Negro pickets.

The incident occurred when a white crowd closed in on the girl, Constance Leever, and the Negroes as they completed picketing the Union County courthouse and started to enter a taxi. P. 1

Negro leader James Foreman, president of the National Freedom Council, was clubbed in the head and several other members of the group and Negro bystanders were reported beaten by white spectators. Mon. 8-28-61

The Negroes were taken to the county jail where they were being held Sunday night. Police refused to say anything about the incident. Raleigh, N.C.

City Said Tense.

Another Negro leader here, the Rev. Paul Brooks, a representative of the Southern Christian Leadership Council, told UPI that as night fell on this Carolina border town white groups were riding around in cars firing guns out the window. He said the city was "very tense."

Foreman said the group had arranged to have four taxis pick them up, but when Miss Leever, who is visiting here from England, attempted to enter the cab with several Negroes the policeman intervened.

Miss Leever is on a tour in this country with a group of European students. She was visiting local Negro leader Robert Williams while here and is expected to return to England by charter plane from New York Sept. 9.

She had been picketing with the Monroe Non-Violent Action Committee against segregation policies of the city. Pickets were also posted around the courthouse Saturday and brief scuffles occurred at that time.

"Another patrolman asked if he was going to let her enter the cab," Foreman said. "Then the crowd, which had been milling around us during the afternoon, started to close in."

Shotgun in Car

One of the Monroe policemen found a shotgun in the car, took it out and handed it to one of the bystanders, Foreman said. "He (the bystander) told me I'd better not move," Foreman said.

Witnesses estimated the crowds at upwards of 1,000 persons with many cars from South Carolina, just a few miles south of the city.

Officer J. W. Rushing of the Monroe police department was shot in the leg and was taken to Union Memorial Hospital where his condition was listed as good.

Police officials refused to comment but local townspeople said Rushing was shot by a Negro.

Farmer suffered blows on the right temple and other members of his group were struck on the arms.

The entire group of picketers sought refuge in the Monroe police department while the crowds continued to mill around the city.

The News and Observer

Hears Shots.

A local druggist said he heard five shots fired during the afternoon, but the only reported injury was Rushing.

Union County Deputy Sheriff Cliff Dutton said his office had confiscated rifles, pistols, clubs and brass knuckles from whites and Negroes in the area.

Williams, a local Negro leader who earlier in the year came out in favor of arming Negroes, was not a member of the picketing group. Mon. 8-28-61

Farmer said Williams did not want his presence to create any disturbance for the non-violent picketers.

The town of Monroe is about 30 per cent Negro and has been the scene of unrest in the past few months.

13 1961 N.C.

Police Query 30 Students In Mystery Cyanide Deaths

The Winston-Salem

CHAPEL HILL, N.C. (AP) — Police questioned about 30 students Monday in an effort to turn up clues in the mysterious cyanide posion deaths of two University of North Carolina students.

P. 2 Dec. 16-12-61

Expected momentarily were the results of tests to determine whether two large paper cups found in the students' room contained the deadly poison.

Police Chief W. D. Blake said most of the students questioned lived in Cobb Dormitory, scene of the two deaths.

Greensboro

He added he was hopeful of shedding light on the source of the deadly cyanide. A six-man coroner's jury ruled Saturday that this caused the deaths of 20-year-old James Michael Barham of Burlington and William Harrison Johnson Jr., 24, of Statesville.

Their bodies were discovered Friday morning in their room after they failed to show up for the self-help jobs in the dining hall.

Blake said accidental poisoning has been ruled out. He added it was either murder-suicide, double murder or a suicide pact.

"We're in the process of questioning more students," the police chief stated.

Ralph Sargent, 20, a university student from North Plainfield, N.J., was arrested Sunday night with deadly mercuric cyanide pills in his possession, Blake said.

The chief added, however, there was no connection between the two cases. Sargent was released on $400 bond for trial on a charge of dispensing poisonous drugs.

Sargent was quoted as saying he obtained nine mercuric cyanide pills from a dental laboratory where he worked in New Jersey before he came to the university. Mecuric cyanide is used as a cleansing agent prior to firing and baking porcelain teeth restorations.

Blake said Sargent gave no reason for having the cyanide pills except to say that he might need them.

Beatnik Negro Seized With $1,200 in Loot

Atlanta Constitution P. 2

June 10-26-61

GREENVILLE, N.C. (AP)—A nervous Negro, clad in a gaudy beatnik outfit and wearing a stubby goatee, robbed a branch bank of $3,785 here Wednesday and pedaled away on a bicycle.

Several hours later, a 21-year-old Negro and his sister were arrested at a road block at Williamston, 25 miles away. Police said more than $1,200 in $5, $10 and $20 bills was found tucked inside the upholstery of their car.

The two were identified as Roy Douglas Freeman and his sister, Marian Augusta Freeman, both of Greenville.

Freeman was charged with bank robbery and held in lieu of $25,000 bond. Officers searched his home for the rest of the loot and the robbery pistol.

James M. Moye, manager of the West End branch of the Wachovia Bank & Trust Co., in the heart of the tobacco warehouse district, described the bandit as a "typical beatnik type." He said the bandit wore white tennis shoes and white pants, a red coat and a gray hat.

Highway Patrolman B. W. Parker and Williamston police officer David Whitehurst said they stopped Freeman and his sister at a roadblock outside Williamston. They said Freeman acted suspiciously, and the two were taken into custody.

Parker said the appearance of Freeman's face indicated that he had just shaven off a goatee. The officers found a pair of white tennis shoes in the car. Inside the upholstery lining of the 1954 Chevrolet, officers said they found $1,210 in small bills.

They quoted Freeman as saying he and his sister were en route to Detroit.

Moye said the bandit brandished a small nickle-plated revolver and ordered him to fill up a plastic, zippered bag with cash.

"He was a little teeny fellow," Moye related, "and I could have subdued him if it wasn't for that gun."

Negro Charged With Extortion

The News and Observer P. 2 12-12-61

SNOW HILL (UPI) — A young Negro, said to have been influenced by a television show, Saturday was charged with extortion in connection with a note left in a prominent white farmer's mail box.

Officers said David Lee Ward, 23, of Wilson County was arrested Thursday night and admitted leaving the note which demanded payment of $1,000.

"I got the idea from a TV show," officers quoted Ward as saying.

The note which said pay or have the buildings on the farm burned down was placed in the mail box of Charlie A. Dawson. Dawson, put aside warnings in the note that "you are being watched" and contacted officers.

A small amount of money was placed in the mail box and officers said Ward was arrested when he took the money fro the mail box that night.

Trinity Is Quiet After Near Riot

The News and Observer Wed 6-28-61

BY DAVID COOPER.

TRINITY—Law enforcement officers kept a watchful eye on this small Randolph County community Tuesday as Trinity citizens simmered in the wake of a near race riot.

A brief inter-racial brawl between young whites and Negroes erupted at a small cafe here about 8:30 p.m. Monday after the white grill operator, Robert Parris, 20, earlier in the day had refused to serve several Negroes.

Parris, missing during the night after the fight, turned up safe at his home in the early Tuesday dawn, weary and bruised. Trinity is located about seven miles south of High Point.

The husky grill operator said he "passed out" under a house about 200 yards from the grill after running from a gang of Negroes which attacked him in front of his establishment.

A mob of close to 1,000 whites gathered near the grill when Parris disappeared after the fight.

Sheriff's deputies said between 50 and 100 whites began to march toward the Negro section of the community during the height of the tension. They were armed with a variety of weapons, including a meat cleaver, car tools, a loaded .38 pistol, a boat paddle, sticks and rocks, officers said.

The angry band was turned back close to the cluster of Negro homes by Randolph County Sheriff Wayne Wilson, his entire force of deputies, and a special detachment of about 15 State Highway Patrolmen, rushed to the scene after the fight at the grill.

Several patrolmen said they saw Negroes armed with shotguns at their homes as the whites approached.

"We are probably going to make some arrests," Wilson said late Tuesday, "but not until the investigation is over. We're still piecing things together."

Wilson said he thought the brawl might have been building up for several days and was probably the outgrowth of a minor scuffle between white and Negro youths Sunday.

The mob of whites formed when it was feared that Parris had been kidnapped by the Negroes during the attack at the grill.

The 190-pound Parris had red welt marks on his back and right arm, and bruises behind one ear and on his jaw when he arrived at his family's weather-beaten two-story home.

Parris said that three Negroes came in his grill Monday morning. "I usually give 'em something to drink to take out," he said. He said he refused to serve the Negroes when they asked for full counter service, and that the owner of the grill, Charles McPherson of High Point, then told the Negroes to leave.

The grill operator said that white youths in the grill at the time made remarks to the Negroes. "They (the Negroes) said I'll see you tonight and they did."

After Grill Closed.

Eight other white youths were present as he closed up in the evening, including his brother, Richard, 22. When they stepped out of the door of the grill, they were attacked by the band of Negroes, Parris said.

Parris said some of the Negroes were armed with sticks and leather belts. Other whites engaged in the fracas said they saw several Negroes with knives.

"I was on the bottom most of the time and they couldn't hit me," Parris said. "By the time I got up all I could see was Negroes and I got out." He said he had had no racial trouble at the grill previously. His father, William Parris, said his son has been operating the grill for about three months.

Officers estimated the band of Negroes who attacked Parris and the others at about 40. "When the Negroes drew knives and showed their weapons, the white youths scattered and ran," said Deputy Sheriff R. B. Weston.

Treated at Hospital.

One white youth, Bobby Joe Chapman, 16, was taken to a High Point hospital after the brief fight, treated for a head wound and released.

Members of a local rescue squad searched in vain for the missing Parris after officers dispersed the mob. The house under which Parris spent the night was located about halfway between his home and the grill, which are about a quarter of a mile apart.

Officers hoping tensions would die down Tuesday were fearful that whites might try to seek revenge for the attack. "All you need now is for some Klansmen to come in here," a reporter told a patrolman during the day.

"There are some around here that belong to the Klan," the patrolman replied.

Grill Is Reopened.

Over the objections of his mother, Parris reopened the grill at about 8 a.m. Tuesday. About 10-15 white youths, many of them involved in the fight the night before, immediately clustered around the tiny cafe.

Snuff dripped from the lips of one wild-haired 19-year-old as he described how he missed out on the march to the Negro section because he was busy "sawing me a 'weepon'" from a length of chain.

Older men began turning up at the grill during the morning hours. One white man said he planned to carry a gun in his car from now on.

About 1,000 people live in the community, local officers estimated. Most work in High Point or Thomasville, but there is some farming in the area.

The little town was the original home of Trinity College, which later was moved to Durham and then became Duke University.



ROBERT PARRIS (RIGHT) WITH FATHER, WILLIAM PARRIS.
(Staff Photo by Lawrence Wofford.)

White Youth Missing After Racial Fight

TRINITY, N.C. (AP)—A white youth who refused service to a group of Negro boys at a grill Monday morning was missing Monday night after a fight between whites and Negroes.

State highway patrolmen from several counties rushed here to aid Randolph County deputies in heading off a threatened race riot.

The officers called for tear gas, but about two hours after the trouble began the tear gas had not been used.

The missing white youth was Robert Parris, 20, of Trinity, who was operating the grill when a half-dozen Negro youths sought service there about 8:30 a.m. Witnesses told police that the Negroes left saying they would be back Monday night.

About 40-50 Negroes showed up between 8 and 9 p.m.

The dozen or so white youths who were in the area at the time told the police that the Negroes jumped them and they fought with fists. The whites said they ran when some of the Negroes pulled knives.

Bobby Joe Chapman, a white teen-ager, suffered a minor cut and was taken to High Point Memorial Hospital for treatment. Trinity is about five miles southeast of High Point.

After the fight, Parris was missing and an angry crowd of whites, some carrying guns and others carrying tire tools and makeshift weapons, began to gather.

groups of Negroes had abducted a white cafe manager who had refused them service.

Randolph County Sheriff W. W. Wilson stepped in and personally persuaded the youths to disperse. The cafe manager, Robert Parris 19, later turned up unharmed.

The night-long search for him ended at 5 a. m. when he crawled from underneath a house where he had been hiding near his store-cafe. He told officers he had taken refuge there because "I was plenty scared."

Parris told authorities he had refused service Monday morning to two Negroes and they had threatened to return to the cafe that evening with friends. He said they threatened to make him serve them.

A group of white youths were on hand when the Negroes showed up and several fist fights broke out between the two groups.

Police Keep Vigil After Race Melee

TRINITY, N.C. (AP) — Law enforcement officers kept an intensive watch over this small community Tuesday in the wake of an interracial brawl which erupted after a white grill operator had refused to serve several Negroes.

The grill operator, Robert Parris, 20, beaten and rumpled, returned to his home shortly after dawn Tuesday. The strapping 190-pound Parris said he had been beaten during the fracas at his establishment Monday night, then fled underneath a house where he said he had passed out and spent the night.

The brawl at the Trinity grill, plus Parris' disappearance, brought out bands of white persons armed with a variety of weapons.

Randolph County Sheriff Wayne Wilson and his entire force plus a special detachment of highway patrolmen disbanded the crowds during the night and kept order in the community sprawled along State Highway 62 five miles south of High Point.

Riot Prevented; Victim Was Just In Hiding

TRINITY, N. C. — (UPI) — Highway patrolmen and deputy sheriffs Tuesday patrolled this small agricultural community where a full-scale race riot was narrowly averted Monday night.

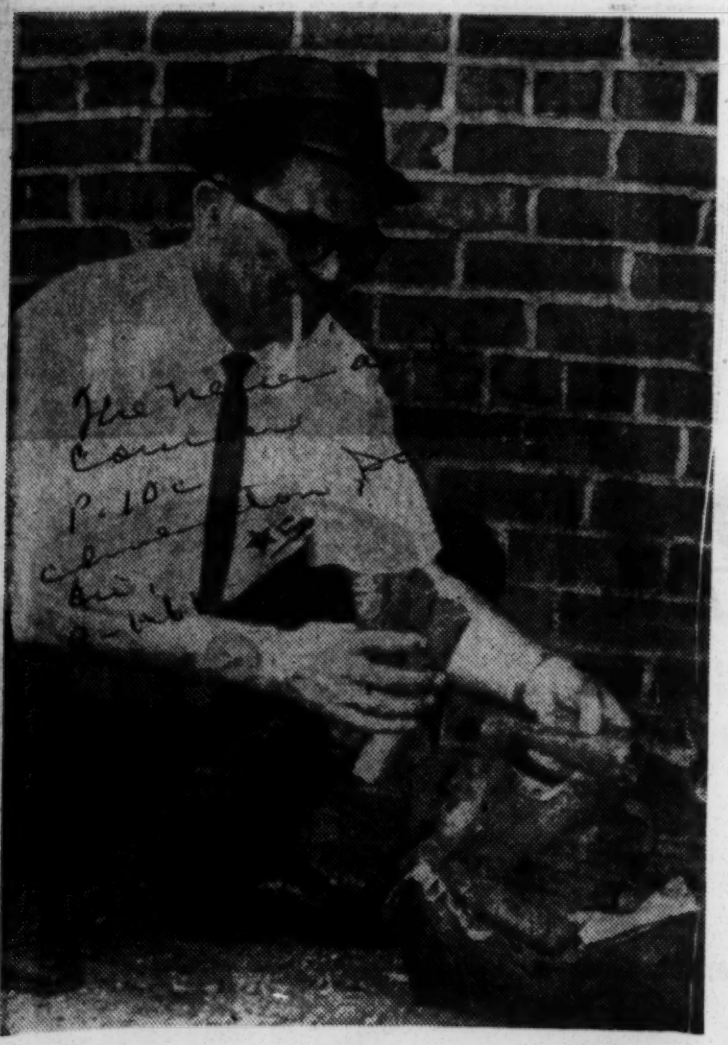
An estimated 150 white youths, some with shotguns, pistols, tire tools and meat cleavers, started a march on a Negro section when unconfirmed rumors spread that a

Kidnaping Charge

4 More Indicted In Monroe, N.C.

MONROE, N. C. (AP) — Four additional kidnaping indictments were returned by the Union County grand jury Thursday as a result of the abduction last Sunday of a white couple during racial disturbances here.

Meanwhile, James Forman of Chicago, a Negro who coordinated picketing here last week which touched off the turmoil, said a rally of integrationists was planned Thursday night at the St. James Holiness Negro Church in Monroe.



DYNAMITE FOUND NEAR NEGRO'S HOUSE
Sheriff Cliff Dutton Inspects Explosives

Forman said the Rev. Wyatt Tee Walker of Atlanta, executive director of the Southern Christian Leadership Conference, and two attorneys, Len Holt of Norfolk, Va., and William Kuntsler of New York, were to speak.

Meanwhile, a rally of integrationists scheduled for Thursday night at the St. James Holiness Church was called off. Bishop W. T. Bunn, pastor of the church would not comment on the reason, but an aide said the minister was afraid trouble might develop.

FORMAN ABSENT

James Forman of Chicago, a Negro who coordinated picketing here last week which touched off the turmoil, said the Rev. Wyatt Tee Walker of Atlanta, the scheduled speaker, did not show up. Walker is executive director of the Southern Christian Leadership Conference.

Indicted by the grand jury on kidnap charges Thursday were three Negroes, May Mallory, age and residence unknown; Richard Crowder, 19, of Monroe, president of the Monroe Non-Violent Action Committee; and Harold Reep, 18, also of Monroe. Also indicted was 20-year-old John Cecil Lowry of the Bronx, N.Y., white, a former student at Queens College in New York City.

The Mallory woman's whereabouts was not known, officers said. Repp, Crowder and Lowry were held in jail here without bond.

State, county and city officers raided the Crowder youth's home Wednesday night. They said they found a small arsenal of weapons, including at least one automatic rifle.

POLICE GET RIFLES

Another Negro, 38-year-old Leroy Hood of Monroe, Thursday turned four rifles over to police after he was questioned. The weapons were identified as foreign surplus, large caliber rifles.

Harvey Morrison, a Monroe gun fancier, said three of the rifles found in Crowder's home were of Russian make. Officers also said they found 1,256 rounds of ammunition of various calibers in a suitcase in the Crowder home.

State and local police staged another quick raid at Williams' home Thursday morning and picked up a case of dynamite hidden beneath a dog house in the back yard. The wet dynamite was wrapped in a plastic raincoat but officers said it could be detonated.

Officers said they also found nine Army and Navy surplus helmets behind the "freedom house," where several of the picketers have been staying. A large caliber Japanese rifle also was found in a woodpile behind the Williams home.

Racial turmoil reached a climax Sunday when 300 persons became involved in an interracial fight around the Union County courthouse. Preceding the battle, the Monroe Non-Violent Committee led eight days of picketing protesting segregation practices.

Man Resembling Williams Sought

CLINTON, N.C. (AP) — A man answering the description of Robert F. Williams, militant Negro leader wanted for kidnaping in Monroe, was the object of a search in Eastern North Carolina Thursday night.

Highway patrolmen were told the man stopped his black, 1958 Chevrolet for mechanical repairs at a garage on U.S. 701 just north of here.

The patrol radio station at Raleigh said the car proceeded north on U.S. 701 before the repairs could be made. The station did not know the nature of the mechanical trouble.

This description of the driver was broadcast to patrolmen in the area: Negro, 5-11, 210 pounds, wearing a goatee and having a heavy build.

The patrol station said "bore National Association for the Advancement of Colored People stickers on its front bumper and windshield. The driver was believed traveling alone.

Williams was indicted on charges of kidnaping a white couple in Monroe Sunday night during an outbreak of racial violence.

The patrol station at Elizabethtown said David Herring, operator of the garage, notified authorities telling them he was "pretty certain" it was Williams.

However, there was a 20-minute lag between the time the car left the station and the time a patrolman arrived. This would have given the driver sufficient time to reach the Newton Grove traffic circle, about 17 miles north - and cut off in almost any direction.

Bob Williams of Monroe on FBI's 'wanted' list

WASHINGTON

Robert Franklin Williams, 36, described as dangerous and an advocate of violence who allegedly possessed a large quantity of firearms, is being sought by the FBI for unlawful interstate flight to avoid prosecution for kidnaping.

He is charged in the kidnaping of a Marshville, N.C., man and wife on Aug. 27, 1961, during a racial disturbance in Monroe, N.C.

* * *

AFTER THE couple's abduction at gun - point, they were allegedly taken to Williams' home in Monroe, tied up and threatened with bodily harm but subsequently released unharmed later that day. Williams reportedly fled the same day in an automobile bearing New York license plates.



ROBERT F. WILLIAMS

A Federal warrant for his arrest was issued at Charlotte, N.C., the following day.

* * *

AN OUTSPOKEN advocate of Fidel Castro, Williams has worked as a free-lance writer, freight handler, janitor and machinist. He is six feet tall, and weighs 240 pounds.

He is believed to carry a .45 caliber pistol in his car and has been diagnosed a schizophrenic. He should be considered armed and extremely dangerous.

Anyone having any information concerning his whereabouts should immediately contact the nearest FBI Office.

MONROE, N.C. MR. ROBERT F. WILLIAMS

13 1961

NORTH CAROLINA

Race Trouble In Monroe

The Chicago Defender

Racial tension erupting last weekend in Monroe, N.C., has prompted the Mayor to plead for help from the U.S. government in ridding his town of "freedom riders and carpetbaggers."

At this writing, we have no information on the response from Atty. Gen. Robert F. Kennedy Jr., to whom the Mayor's plea was addressed, other than the dispatch of FBI agents to "investigate." Our comments are confined today to the circumstances in Monroe.

A policeman was wounded by gunfire and a white couple was bound and held hostage at the home of Robert Williams, a Negro racist who often exhorts his people to violence. Williams has visited Fidel Castro and flies a Cuban flag in his back yard. The white couple was released in a state of nervous terror. Twenty-four Negroes and eight white persons have been arrested on various charges, mostly inciting to riot.

These are some of the consequences of rousing explosive emotions. The immediate troubles were touched off by picketing. Mayor Fred Wilson called the pickets "a Northern army of an estimated 75 freedom riders."

Mayor Willy Brandt in Berlin could be no more upset about communists ringing his city than the Mayor of Monroe, besieged and beset by mischief-makers. If federal intervention ever were justified—and both the Eisenhower and Kennedy administrations have sent armed men into Southern cities on the ground that public safety was in danger—Monroe, N.C., is a case in point. But we see small hope for real help from federal sources.

Every town in the United States is in danger of racial agitation. Great cities on both coasts and in the interior are beset by daily outbreaks of hoodlums. Attacks on police trying to restore order occur with shocking frequency. Even in communities with relatively small Negro population race incidents have been provoked. But it is in the Southern cities, where large colored populations have dwelt for decades in relative harmony, where the agents of discord find their choicest opportunities.

Whose interests are they serving? Not the country's surely. Though the individual "riders", pickets and demonstrators may not be personally enlisted in the Communist Party, they are carrying out the wishes and aims of the world communist conspiracy. Anything that divides Americans into hostile camps helps Russian imperialism. Social discord, riots in the streets and promotion of hatred among U. S. citizens break down the national will to resist enemy aggression.

The Battle for America is going on today in Washington, New York, Los Angeles and Chicago. It has raged in the streets of Little Rock, Birmingham, New Orleans and Montgomery.

Robert Williams, who finds comfort and inspiration in Fidel Castro, has brought special trouble to Monroe. But the U.S. Government is not without fault. It has encouraged the spirit of revolt and the breaking of peaceful customs. We fear that it is late in the day to entreat Washington now to undo what federal leaders have been fomenting for years.

Riot Leader Hunted For Kidnaping Couple

Houston Daily News

MONROE, N.C. (UPI) — Police said Monday night a Negro leader charged with kidnaping a white couple during racial violence here apparently has fled the city.

Officers with shotguns and tear gas guns raided the headquarters of Robert Williams, a bearded admirer of Cuban Premier Fidel Castro who was expelled by the NAACP for advocating violence against whites.

Williams had disappeared, officers said, and no guns were found in the building. Police asked the FBI to issue an alarm for Williams, who was believed to be traveling north.

About 50 law enforcement officers, working in teams of 25 on each shift, patrolled the city on an around-the-clock basis to prevent a recurrence of racial violence here.

Williams was charged with kidnaping Mr. and Mrs. Bruce Stegall of Marshville, N.C., and holding them hostage during the Sunday rioting. The couple was released unharmed but told police they were abducted by Williams when they wandered into the neighborhood by mistake.

Officials indicated state police would remain here as long as necessary. Officers moved through a crowd of about 400 white persons, most of them curious teenagers, Monday night at the city courthouse but there were no incidents or arrests.

Authorities had thought Williams barricaded himself in the house with a group of followers and was distributing ammunition to the group.

But the house was empty and a group of Negroes involved in Sunday's rioting issued a statement saying they had simply stayed in Williams' "freedom house" for their own safety.

"Therefore, we were in no position to influence the events that ensued," the group said.

The statement was sent to U. S. Atty. Gen. Robert F. Kennedy, Gov. Terry Sanford, Mayor Fred Wilson of Monroe and Negro integration leaders Martin Luther King Jr. and James Farmer.

Kennedy said Monday that persons responsible for the violence should be "prosecuted to the full extent of the law." But Kennedy said the federal government contemplated no action since the outbreak seemed to be under control.

"On the basis of the facts reported to me," he said in a statement, "I would hoe and expect that the persons responsible for the violence—including the holding of a man and his wife as hostages—would be prosecuted to the full extent of the law."

Alabama Gov. John Patterson wired Sanford that he was ready and willing to send Alabama troops to North Carolina "if you should need and request them" to reserve order. He commended Sanford for "your defense of the rights of the citizens of North Carolina."

Patterson also called on the attorney general to keep federal marshals out of North Carolina and "leave the people of the South alone."

Negro Agitator Sought in N.C.

The Florida Times Union

MONROE, N.C., Aug. 28 (UPI). Police and state troopers, determined to prevent further race rioting in this tense city, raided the stronghold of a Negro integration splinter group today.

Law officers holding shotguns and tear-gas guns at the ready descended on the headquarters of Negro leader Robert Williams, which officers had described as an armed camp, but found both guns and Williams gone.

State police immediately asked the Federal Bureau of Investigation to issue an alarm for Williams who is charged with kidnaping a white couple and holding them hostage during last night's rioting.

Williams, a bearded admirer of Fidel Castro who once was suspended by the NAACP for advocating violence against whites, had been reported issuing ammunition to his followers last night as white groups roamed the city. One carload of whites last night drove past Williams' home and his nearby "Freedom House," where visitors to his organization stayed, to be greeted by an estimated 20 shots.

Jacksonville, Fla.

However, raiders today found guns gone and were not able to make an arrest.

The kidnap warrant against Williams was issued today by a Union County Superior Court grand jury which named Williams in two kidnap indictments, one for each of the two kidnaped persons—Mr. and Mrs. G. Bruce Stegall of Marshallville, N.C. The FBI dragnet which was sought charged Williams with unlawful flight to avoid prosecution, a federal charge.

Fifty state patrolmen helped keep the peace in Monroe and authorities said they would stay as long as needed.

Gov. Terry Sanford said in Raleigh that he was determined that the situation remain under control.

"We are not going to allow outside agitators to promote violence in our state," he said.

Yesterday afternoon there were protests of a white English girl, Constance Lever, getting into a cab with Negroes. A policeman stepped in, one of the Negroes cursed the policeman, angry whites moved in, and things got out of control.

The policeman, J. W. Rushing, exchanged gunfire with three Negro youths and was wounded in the leg by one of them, Albert Rorie, 17, who later was charged with assault with attempt to kill.

Police arrested more than 20 of the pickets, including Miss Lever, and also arrested a number of whites.

Warrant Out For Negro

Birmingham Post Herald

N. C. Police Raid Home, Find No One

MONROE, N. C., Aug. 28 (UPI)—Police and state troopers, determined to prevent further race rioting in this tense city, raided the stronghold of a Negro integration splinter group today.

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Birmingham, Ala.

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Governor Raps Agitators

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Times-Union

"We are not going to allow outside agitators to promote violence in our state," he said.

Meanwhile, a grand jury considered kidnaping charges against followers of Williams accused of kidnaping a white couple, Mr. and Mrs. G. Bruce Stegall of Marshville, N. C., and holding them hostage during the height of the rioting yesterday. The couple later was released unharmed but said they were tied up in Williams home when they wandered into the neighborhood by mistake.

RFK Says No Action Planned

WASHINGTON, Aug. 28 (AP) —Atty. Gen. Robert F. Kennedy today described the situation in Monroe, N. C., scene of week-end racial disorders, as under control and said no action by the Federal Government is contemplated.

Kennedy said he had received a full report on the racial disturbance.

"On the basis of facts reported to me, I would hope and expect that persons responsible for the violence, including the holding of a man and his wife as hostages, will be prosecuted to the full extent of the law," Kennedy said in a statement.

"The local authorities in Monroe and the officials of the State of North Carolina moved vigorously and effectively under difficult circumstances to control the disturbance. The situation is under control and no action by the Federal Government is contemplated."

Violence Long Brewing

The violence that beset this South-Central North Carolina town of 11,000 persons had been brewing for a long time, perhaps since 1959 when Williams views on "meeting force with force" became so radical that he was expelled from the NAACP. He told Mrs. Daisy Bates, then head of the NAACP in Little Rock, Ark., that Negroes "must be willing to die and to kill as individuals and collectively to defend their homes and persons."

Several weeks ago Williams, who expresses an admiration for Fidel Castro, called for picketing of the county courthouse as a "test of the passive resistance method."

Although Williams charged he and his followers were being assaulted by roving bands of white toughs without police interference, there appeared to be no overt difficulties until yesterday afternoon.

Taxi Incident

At that time about 10 pickets, including an English girl, Constance Lever, and one or two other whites, were being watched by casual Sunday afternoon passers-by when a taxicab pulled up, apparently to relieve the pickets.

In a crescendo of actions that has been related in several different versions, some of the whites protested the white girl getting into a cab with Negroes, a policeman stepped in, one of the Negroes cursed the policeman, angry whites moved in, and things got out of control.

The policeman, J. W. Rushing, exchanged gunfire with three Negro youths and was wounded in the leg by one of them, Albert Rorie, 17, who later was charged with assault with attempt to kill.

Police arrested more than 2(of the pickets, including Miss Lever, and also arrested a number of whites.

Warning Call Received

Then, as roving bands of whites wielding guns, knives and meat cleavers, began circulating around town, Police Chief A. A. Mauney received a call saying that "something bad will happen" if the pickets were not released. He was told that the Stegalls were being held hostage in Williams' home.

A carload of whites passed Williams' house and was greeted with a volley of an estimated 20 shots.

At one point, police estimated a crowd of jeering whites in the downtown area at 1000 persons.

Police, aided by 75 specially-deputized firemen and more than 50 state patrol cars, managed to disperse the crowds about mid-night but random shots echoed through the town most of the night.

GOV. JOHN PATTERSON (ALABAMA)
OFFERS TROOPS
MONROE, N.C. ROBERT F. WILLIAMS

Gov. Patterson Offers Troops To Monroe

RALEIGH, N. C. (AP)—Gov. John Patterson of Alabama Monday offered assistance to Gov. Terry Sanford, "in every way, including the use of our troops and law enforcement personnel."

Patterson said his telegram was prompted by the weekend outbreak of raicial violence at Monroe, which was touched off by anti-segregation picketing.

Sanford, in a brief reply, told Patterson "everything seems to be under control" at Monroe. "I certainly appreciate your interest and thoughtfulness in writing." Patterson said Alabama "stands ready to assist you and the people of your state in every way," and offered troops and law enforcement personnel "if you should need and request them."

Freedom pickets jeered in Monroe

MONROE, N.C. — In the face of mounting tension, police moved late Saturday afternoon to clear the courthouse square of all persons with the exception of a single file of pickets who marched along the sidewalk to protest discriminatory racial conditions.

Chief of Police A. A. Mauney ordered all persons other than the pickets to move to the other side of the street fronting the square after John Lowry, a Freedom Rider, was choked by a white assailant.

A crowd estimated at more than 2,000 gathered across the street from the square, hurled jeers and epithets at the pickets. Other segregationists drove up and down the streets in cars which bore racially-insulting signs and placards.

* * *

LEADERS IN Monroe's drive for civil rights claimed growing support Saturday, following a week marked by picketing and counter-picketing, attacks on picketers and arrests of both picketers and their assailants.

Demonstrators who protested racial injustices in Monroe included both Freedom Riders, who have been following a course of non-violent protest, and local residents, followers of Robert F. Williams, who has been outspoken in his championing of a policy of meeting force with force.

Richard Griswold, 35, of Brooklyn, N.Y., was choked and thrown to the ground a week ago Saturday, as he was photographing picketers who were marching to protest the arrest of the Rev. Paul Brooks, field representative of the Southern Christian Leadership Conference.

The Rev. Mr. Brooks was arrested on a charge of running through a stop light on his motor scooter, and was released on $50 bond for a hearing in two weeks.

Griswold was unable to identify his attackers by name, so none of them were arrested.

* * *

THREE DAYS, later, however. Griswold himself was arrested on a charge of interfering with a policeman in the performance of his duties as a result of having photographed policemen who were "regulating" the pickets.

A second attack victim was Daniel Thompson of Cleveland, Ohio, who was struck by a 19-year-old youth identified as Jerry Anderson of near Monroe. Anderson was charged with simple assault and released under $50 bond.

Another picketer, Ed Bromberg, 27, a Columbia University student from Brookland, Mass., was struck in the stomach by a pellet from a high-powered air or gas gun.

Though doubled up by the force of the slug, he received only a slight abraision. The person who fired the gun was not apprehended.

The fourth attack victim was Paul Dietrick, 21, of Washington, D.C., who was struck twice on the neck and right-ear shortly after noon Saturday. Police immediately arrested David Lee Price, who was charged with simple assault and released on $50 bail.

The attack victims and their assailants are all white.

TWO MEMBERS of the picketing group, Miss Lerone Massey, 20. and Henry Temmel, 14, both of Monroe, were arrested Friday and charged with violating a new Monroe city ordinance which restricted picketing to the sidewalk, and required them to walk 15 feet apart and in single file.

Two additional arrests of pickets followed on Saturday afternoon on the same charges. Arrested then were Roy Lee Crower, 18, and Horace Fencher, 20, both also of Monroe.

Bail for each was set at $50 and trial was slated for Sept. 11 for all of those arrested.

* * *

THE MONROE demonstrations were started more than a week ago by Williams' group, which cited a list of four grievances. These included:

1. Unequal protection under the law for colored citizens and their property.

2. The policy of the tax-supported Industrial Development Commission, which invites industries to Union County and imposes discriminatory labor practices.

3. "Arbitrary and cruel administration by the Welfare Department which deprieves destitute colored residents of relief.

4. Separate and unequal recreation facilities.

* * *

FREEDOM RIDERS, enroute to their homes in various parts of the country from Jackson, Miss., where they were arraigned two weeks ago on charges stemming from efforts to integrate Jackson, joined the local pickets.

A spokesman for the group said that seventeen Riders were in the city on Thursday.

After seven hours of picketing on Monday, by the Freedom Riders, whites set up a counter picket line.

Under the new ordinance adopted by the city council, the chief of police has the authority to allow "the opposition" equal time to picket in the same place.

Atlanta Minister Is Hurled Down Steps In Monroe

MONROE, N. C. — (UPI) — A Negro minister who came to this racially-tense town as an "arbitrator" was thrown down the court-house steps Tuesday by a group of whites.

Two companions of the minister, the Rev. Wyatt Tee Walker of Atlanta, were roughed up by the same group. They were identified as Alex Poinsett of Jet Magazine and Moses J. Newsom of the Afro-American newspaper in Baltimore.

An anti-segregation demonstration outside the county courthouse Sunday sparked a riot that raged for hours. One policeman was wounded in the leg in the wild melee and scores of persons arrested.

Tuesday's violence erupted while Rev. Walker and his colleagues were en route to the courtroom of Superior Judge Allen Gwyn to hear Gwyn explain his views in open court of racial picketing.

The three Negroes were met at the top of the courthouse entrance by a group of whites who pushed and shoved them back down the seven steps.

Sheriff's deputies grabbed the whites and started herding them into the courthouse. But one of the men identified as Vann M. Vickery of Monroe, broke away from the officers and rushed back outside.

He grabbed Rev. Walker, executive director of the Southern Christian Leadership Conference (SCLC), and hurled him down the steps a second time, Walker wasn't injured.

Meanwhile, FBI agents continued hunting Robert Williams, a local Negro leader. He was ousted from the National Association for the Advancement of Colored People, (NAACP) in 1959 for advocating violence against whites.

Williams is charged with kidnaping a white couple at the heght of Sunday night's outbreak. He is also charged in a federal warrant with unlawful flight to avoid prosecution.

Police Raid Quarters Of Racist After Riots

MONROE, N. C., Aug. 28 (UPI)—Police and state troopers, acting to prevent further race rioting in this tense city, rushed the armed stronghold of a Negro desegregationist splinter group today and disarmed its members.

Law officers with shotguns and tear gas shells took part in the assault on the headquarters home of Robert Williams and his followers, but met no apparent opposition.

The officers entered Williams' house and the nearby "Freedom House" where the bearded Negro leader, once suspended from the NAACP for advocating violence, operated. Both houses were seached for arms.

Newsmen were kept a half-block from the scene and it was not known immediately if any arrests were made.

Gov. Terry Sanford said in Raleigh he was determined that the situation remain under control.

"We are not going to allow outside agitators to promote violence in our state," he said.

Meanwhile, a grand jury considered kidnaping charges against followers of Williams accused of seizing a white couple, Mr. and Mrs. G. Bruce Stegall of Marshville, N. C., and holding them hostage during the height of yesterday's rioting. The couple later was released unharmed but said they were tied up in Williams' home when they wandered into the neighborhood by mistake.

Violence Long Brewing

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Mob Out of Control

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The policeman, J. W. Rushing exchanged gunfire with three Negro youths and was wounded in the leg by one of them, allegedly Albert Rorie 17, who later was charged with assault with attempt to kill.

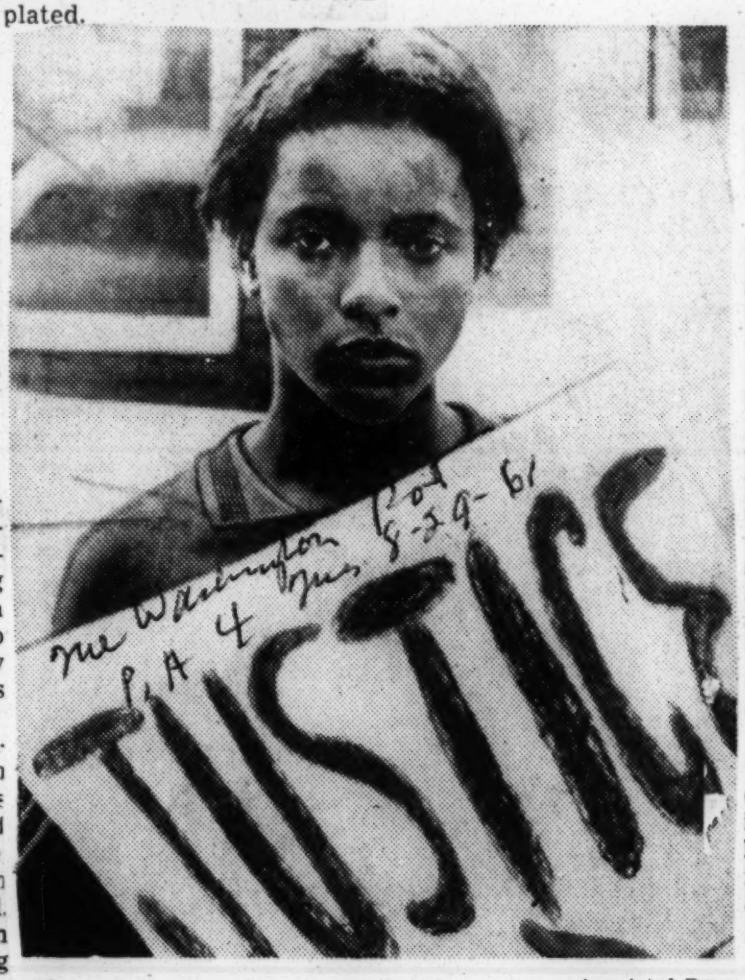
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As roving bands of whites wielding guns, knives and meat cleavers began circulating around town, Police Chief A. A. Mauney received a call saying that "something bad will happen" if the pickets were not released. He was told that the Stegalls were being held hostage in Williams' home.

A carload of whites passed Williams' house and was greeted with an estimated 20 shots.

Police, aided by 75 specially deputized firemen and more than 50 state patrol cars, dispersed the crowds about midnight.

In Washington, meanwhile, Attorney General Robert F. Kennedy said those responsible for racial violence at Monroe should be prosecuted to the full extent of the law. He said no action by the Federal Government was contemplated.



Associated Press

This unidentified girl is one of the anti-segregation pickets in Monroe, N.C. Violence marked a tense weekend of picketing by Negro and white youths.

MARCH AT YOUR OWN RISK

Pickets Warned By Stern Judge

MONROE, N.C. (AP)—A stern Superior Court judge warned an interracial group Tuesday that in the light of the tense racial situation in this small city, further picketing would be at their own risk.

The warning by Superior Court Judge Allen H. Gwyn came minutes after an Atlanta Negro leader was thrown down the courthouse steps by a burly white man who was subdued and arrested.

After the lecture in open court by Judge Gwyn, Daniel Thompson, 26, of Cleveland, Ohio, a white member of the Monroe Nonviolent Action Committee, said the four remaining members of his group who are not in jail might stage a "freedom walk" and rally in the Negro section, either Tuesday night or sometime Wednesday. He said there probably would be no more picketing.

CITY CALM

The city of 10,000 remained outwardly calm after a hectic weekend of picketing which resulted in several interracial fights, an hour-long melee involving about 300 persons, and the 2½-hour abduction by Negroes of a middle-aged white couple.

In the wake of this, a grand jury Monday indicted Robert F. Williams, 36, a militant Negro leader, on two charges of kidnaping.

Williams, an avowed admirer of Cuban Prime Minister Fidel Castro, and his wife and two children have been missing since the couple, Mr. and Mrs. G. Bruce Stegall, were released Sunday night. The FBI entered the case after obtaining a fugitive warrant for Williams, husky and bearded president of the Union County chapter of the National Association for the Advancement of Colored People.

13 1961 NORTH CAROLINA OCTOBER

'Prince' Loses Royalty Status Following Wilmington Arrest

P.3 The News and Observer Raleigh, NC
Fed. 10-21-61

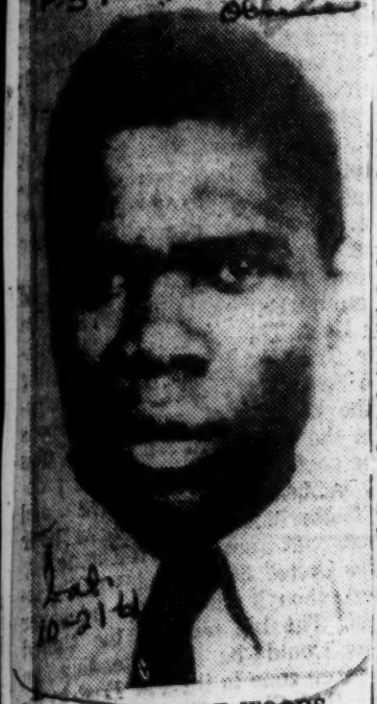
WILMINGTON (UPI)—Edward Lee Woods portrayed an African prince so convincingly that he was invited to lecture on the perils of lion hunting.

Pupils at Dudley School were enthralled Thursday while the "Prince," Tchaco C. Balwayo, regaled them with stories of tribal royalty.

To prove his right to some day succeed to the throne, he told how he went into the bush with only a spear and captured a lion.

Thursday night, a few hours after the lecture, the Georgia Negro battled police, FBI agents and a deputy U. S. marshal in a hospital room and slashed his wrists in a suicide attempt.

P.3 News and Observer Oct.



Fed. 10-21-61

EDWARD LEE WOODS

Handcuffed to Bed.

Eight officers finally subdued him, handcuffed him to a bed and unmasked Woods as a fake.

Woods, 29, of Waycross, Ga., was held on a federal warrant charging fraud in obtaining medical treatment at the U. S. Naval Hospital at Newport, R. I.

Woods, alias Balwayo, arrived here by bus a few days ago and went to Community Hospital, complaining of kidney stones and severe pain. He was admitted, put under sedation and treated with drugs.

His credentials indicated he was an African prince from Angola, attached to the Mali Embassy in Washington. Dr. Daniel Roan, president of the Negro Medical Society here, took the case.

Across Country.

The FBI said Woods, 29, born in MacClenny, Fla., had duped officials of numerous hospitals across the country in the past few years, obtaining medical treatment and hospital services. Officers said he had done this in hospitals in Georgia, Florida, New England and in Winston-Salem, Charlotte, Gastonia and Rock Hill, S. C.

Dr. Hubert Eaton, hospital chief of staff, said officials here received a tip that Woods was a phony and he made a call to the Mali embassy in Washington, then notified authorities. FBI agent-in-charge Donald Roney of Charlotte said a warrant was issued on a complaint filed in Boston.

Deputy Marshall Lorenzo Jackson said that Woods "put up a terrific fight" when he and FBI agents went to the hospital room. Five city policemen were called.

He said that after Woods was handcuffed to the bed, a search turned up another razor blade, and Woods was ordered transferred under heavy guard to maximum security at Central Prison in Raleigh to await transfer to New England.

Eaton said officials were astonished when Woods admitted that his knowledge of Africa, tribal customs, royalty and lion-hunting initiations came from books he studied in prison libraries. He has served sentences for impersonation and on bad check charges.

Last year he was arrested in Norwalk, Conn., posing as a crown prince of the Massi Tribe of Upper Volta, West Africa.

He has never been to Africa, Jackson said.

Two Negroes, white face kidnap trial

3 Face Trial In Monroe Kidnaping

MONROE, N. C., Oct. 30—(AP)—The trial of two Monroe Negroes and a white student from New York charged with kidnaping a white couple after an interracial riot on Aug. 27 begins here Tuesday.

All three were apprehended in Monroe. They are Richard Crowder, 19, Negro, former head of the Monroe Non-Violent Action Committee, Harold Reep, 20, of New York.

THE TRIO IS charged with kidnaping Mr. and Mrs.. G. Bruce Stegall of nearby Marshville who were driving through a Negro area following the racial melee. The couple's car was stopped and they were held captive at gunpoint for 2½ hours.

Mrs. Willie Mae Mallory, 34, Negro, of Macon, Ga., and New York, also is charged in the case. She was arrested in Cleveland, Ohio, Oct. 12 and is free under $7,500 bond pending a Nov. 22 hearing there.

A fifth suspect still is being sought. Robert F. Williams, 36, militant Negro integrationist from Monroe has reportedly fled to Cuba.

Crowder was released under $15,000 bond Oct. 23, Reep and Lowry have remained in jail.

MONROE, N.C. (AP) — Two Monroe Negroes and a white student from New York face trial here Tuesday on charges of kidnapping a white couple on Aug. 27 following an interracial riot.

Solicitor M. G. Boyette will preside at the Superior Court trial of Richard Crowder, 19, Negro, former head of the Monroe Non-Violent Committee Harold Reep, 20, Negro, and John C. Lowry, 22, of New York.

All three were apprehended in Monroe. They are charged with kidnapping Mr. and Mrs. G. Bruce Stegall, a white couple of nearby Marshville, and holding them captive for 2½ hours.

The Stegalls by chance drove through the Negro area following the melee. A crowd of about 250 Negroes stopped their car, tied them and held them captive at gunpoint.

Crowder was released under $15,000 bond Oct. 23.

Mrs. Willie Mae Malory, 34, Negro, from Macon, Ga., and New York, also is charged in the case. She was arrested in Cleveland, Ohio, Oct. 12 and is free under a $7,500 bond pending a Nov. 22 hearing there.

A fifth suspect, Robert F. Williams, 36, militant Negro integrationist from Monroe, still is being sought. He reportedly fled to Cuba.

13 1961

NORTH CAROLINA

MONROE, N.C.
ROBERT WILLIAMS, (NAACP LEADER)

3 Guns Hold Mob At Bay

Robert Williams Finds Firearms Man's Best Friend At Times

MONROE, N. C. — Robert Williams, the embattled president of the Union County NAACP here, aided by a .45 automatic, a .38, a carbine and a courageous teen-ager held a mob at bay here Monday night.

The excitement was all a part of Williams' continuing demonstration against segregation in public supported facilities in this county.

Williams told the AFRO about 3,000 persons lined the highway as his caravan of NAACP members moved to picket the city-owned swimming pool which has been restricted to whites. There is no pool for colored citizens.

* * *

A SHORT distance from the pool, Williams said, a man drove what appeared to be a battered stripped down stock car across the highway forcing him to stop.

The other cars in his caravan swerved around the obstruction and continued to the picketing scene.

But blocked, Williams was forced to bring his car to a stop. The driver of the old automobile climbed out with a baseball bat in his hand and swinging it in a threatening manner demanded to know: "Why did you hit my car?"

Williams denied having struck the vehicle, but a yelling mob began to gather. City policemen nearby made no effort to offer protection, he said.

* * *

BUT THE crowd backed up, Williams revealed, when he reached in his seat and aimed the .45 automatic out of his small foreign car window.

The teen-ager in the back seat reached for the .38. When the guns became visible the mob moved back, he said. At that time police came up and demanded a surrender of the guns, which Williams said he refused to do.

In North Carolina, the law permits carrying firearms in an automobile providing they are not concealed.

* * *

FREE OF the crowd, Williams said they went to the picketing scene and remained until assured by two highway patrolmen that they would be supplied safe conduct back home.

During the previous week, Williams said an automobile whose driver he identified got behind his small car and pushed it at a 70-mile per hour clip down the highway. Highway policemen looked on but made no effort to interfere, he said.



JOSEPH CANNON AT REX HOSPITAL WITH HIS DAUGHTER, MRS. E. B. ADAMS.
(Photo by Duane Parris.)

Grocer Beaten, Robbed

Two Negro men pistol whipped a 72-year-old Lee Street grocer Wednesday night and got away with about $400 in cash.

The grocer, Joseph Cannon, was treated at Rex Hospital for a badly cut nose and abrasions about the head. He was released to his home later Wednesday night.

Cannon told police he was alone in his store at 107 Lee St. when the two "light skinned" Negroes entered shortly before 7 p.m.

He said they grabbed him and took his own .38 revolver from his belt and beat him across the head. They grabbed the cash from the register and ran away, Cannon said.

Police said Cannon did not lose consciousness. He did not know the assailants.

Investigating officers indicated the two men probably knew Cannon was armed.

Former Teacher Is Jailed On Arson Of School Charge

WINSTON-SALEM — (ANP) — A 27-year-old former teacher was charged with arson here last week in connection with a fire which virtually destroyed a recreation center at Columbia Heights elementary school.

Nathaniel Wiseman, who once taught at Columbia Heights, was charged with setting the frame structure on fire after a series of questionings by police.

Wiseman at first told police he set fire to the old wooden building which adjoins Columbia Heights school, but later denied this.

He lives near the school.

Wiseman was discharged two years ago as a teacher at the school. He told police that he was forced to resign after being convicted of drunken driving.

Acquaintances of the man report that he was a brilliant student during his school career. He graduated from Winston-Salem Teachers College.

Found Beaten, Man Says Gang Attacked Him

CHARLOTTE, (UPI)—Charlotte police are investigating the beating of a white man who was found unconscious on a downtown street late Tuesday night.

Billy James Benfield, 26, told officers he was attacked by a gang of five or six Negroes as he walked to work. He said the attack was the second time the Negroes had jumped him as he walked to work.

Police said a note was found pinned to Benfield's clothes. The note read: "This is only a sample of what you will get the next time." It was signed "The Black Gang."

Officers said rips were found in Benefield's clothing that looked as if a knife had been used in the attack However, the victim suffered cuts and abrasions on the face and other minor injuries.

13 1961

NORTH CAROLINA

Mother, Out On Date When 2 Tots Died, Is Convicted

Journal and Guide

Norfolk, Va.

Special Correspondence

WINSTON-SALEM, N. C.—A young mother who police officers say was "out on a date" when her two children suffocated in a fire, was sentenced to a 7 to 10 year prison term here last week.

She took the sentence without batting an eye.

MRS. JEANETTE C. Higgins, 21, was found guilty on two counts in the deaths of her children Richard, 2, and Victoria 3 who died in the Higgins housing development apartment on Feb. 19. Conviction was for involuntary manslaughter in the deaths.

Mrs. Higgins said not a word during the trial and appeared without counsel. She accepted the sentence without comment, and failed to question a single witness who appeared.

SHE DID NOT take the witness stand herself.

Testimony was that early on the fatal day Mrs. Higgins had drenched a mattress she had found smouldering after it caught fire from a cigarett.

Evidence was that the young mother went out dating during the mid-evening and that the mattress rekindled itself. The two children were suffocated in the resultant blaze.

Mother Who Doped 2 Sentenced

CLEVELAND, Ohio, Jan. 24 (UPI)—Juvenile Court Judge Albert L. Woldman today called Lillian Fratantonio, 29, a "cruel mother" in giving her the maximum penalty of a year in jail for drugging her famed "sleeping beauty" daughters into mysterious comas.

"You not only were a cruel mother but an unworthy wife to your husband," Woldman told the petite brunette mother of five children. "You probably are the type of woman who never should have had children."

The judge released her on $2,500 bond while her attorneys appeal, but he made it plain he has no intention of suspending the jail sentence and $500 fine.

The judge said he found no evidence that she was mentally unbalanced.

Publicity Thrill

He told her she realized the suffering the children underwent in the medical tests, such as spinal taps, and accused her of enjoying the limelight.

"It was too good a show for you to pass up," Woldman said, he said she was an "unkind mother" who received a vicarious thrill in the limelight of publicity at the expense of her children.

Mrs. Fratantonio was convicted Dec. 6 of the criminal neglect of her two daughters, Bernadette, 3, and Venita, 6, whom she kept under sedation with barbiturates.

Their case drew nationwide attention when some of the top medical men in the country were unable to solve the mystery of their long comas.

Noticed Mother's Visits

Bernadette was first admitted to Cleveland's Mt. Sinai Hospital in September, 1959. She was a patient there off and on all winter. In June she was sent to Columbia Presbyterian Hospital in New York.

While being examined there, her breathing stopped and she was revived by mouth-to-mouth resuscitation.

In July, Venita was admitted to the hospital for treatment of a stomach ailment. She soon joined her sister in the long sleeps.

Doctors first became suspicious when they noticed a correlation between Mrs. Fratantonio's visits to the children and the periods of coma.

Police charged her with drugging the girls on Aug. 12, producing an eye dropper containing crystals of a barbiturate which they had found in her purse.

Mrs. Fratantonio at first admitted the drugging, but later denied the charge and said her confession was forced from her.

Woldman said he would not rule on the custody of Bernadette and Venita until the question of the appeal has been settled. The girls have been in custody of Catholic Charities here since their mother's arrest.

The Fratantonios have three other children, including a daughter born while Bernadette and Venita were in the hospital.

In handing down the sentence, Woldman said, "You were guilty of a criminal act against your children and you perpetrated a hoax against your husband, against doctors and hospitals and against friends and the public in general."

State Probe Demanded

Held as Vagrant, Diabetic Patient Dies

Special to The Inquirer

READING, Oct. 20.—Demand for a State investigation was made Friday of the circumstances surrounding the death in Reading Hospital of an escaped mental patient, suffering from diabetes, after he had been jailed nine days in Berks county prison as a vagrant.

Robert R. Gerhart, Jr., president of the Wernersville State Hospital Board of Trustees, in requesting the inquiry said the patient, William Shoup, 48, had markings in his clothing which identified him as a hospital patient, but this went unrecognized by prison officials.

Gerhart called on Mrs. Ruth Grigg Horting, State Secretary of Public Welfare, to bring State police into the investigation.

Shoup, a patient at Wernersville State Hospital since 1942, walked away from the institution Oct 5. He was arrested the next day by Muhlenberg township police on a charge of vagrancy and sent to the county jail. Nine days later he lapsed into a diabetic coma and was admitted to Reading Hospital where he died Wednesday night.

Gerhart also accused the prison officials of failing to notice Shoup's illness while he was in the jail.

Mrs. Horting said in Harrisburg she would confer with Dr. John E. Davis, State Commissioner of Mental Health, on the case.

Mrs. Horting said Wernersville State Hospital authorities had worked with State police on the matter and that a teletype bulletin had been sent out on the escape.

She pointed out that Shoup's clothing had markings indicating the was a patient at a mental hospital.

"This death is a terrible thing," Gerhart said. "When Shoup left the hospital grounds, both State and local police were notified. This is customary procedure.

"I made a preliminary investigation and found out that the man was picked up by Muhlenberg township police and committed to the prison Oct. 6. He was a diabetic and required a special diet. Blood sugar counts were taken every month and he was not allowed to eat with regular patients. He was fed the special diet in the ward."

Gerhart said for some reason Shoup's diabetic "condition was not detected at the prison, nor was Wernersville hospital notified that he had been picked up."

"Shoup was wearing institutional clothing which was marked inside with the lettering 'WSH' for Wernersville State Hospital, and 'Ward 11,' the ward to which he was assigned," Gerhart said.

"Despite this identification, Shoup remained in the prison until his diabetic condition finally sent him into a coma, which necessitated his transfer to the Reading Hospital, Oct. 15."

Gerhart praised the Reading Hospital for "doing everything possible" to save the man's life. He said it notified Wernersville officials of Shoup's admission to the hospital.

"There are so many unexplained circumstances surrounding Shoup's death," Gerhart said, "that I feel the Department of Welfare should request the State police to make an exhaustive investigation.

"It is a mystery to me why no one at the prison bothered to notify the State hospital that Shoup had been committed. His appearance and his clothing certainly should have aroused somebody's suspicion."

Justice of the Peace Theodore Fugee, of Laureldale, Muhlenberg township, said Shoup was brought before him Oct. 6 by Patrolman Norman Bear of Muhlenberg township police on a vagrancy charge.

Fugee said the man had been arrested the night before along Pricetown rd., after police had been alerted "that a man was acting like a mental case."

The justice of the peace said Patrolman Bear believed the man to be named Sharp, from the name he signed on a piece of paper.

'WOULD NOT TALK'

Fugee said he signed a commitment paper pending a hearing because Shoup would not talk to anyone. Later, Fugee said he checked with prison officials about the man's condition and "prison authorities asked for his release because they believed the man had Parkinson disease."

Fugee said he refused to issue a release because no hearing had been held and said he was later advised by the Berks County District Attorney's office he had "handled the matter properly."

FOUND OUT LATER

Deputy Warden Herbert Phillips, of Berks county prison, said prison authorities did not learn Shoup was an escapee until the man had been transferred to Reading Hospital. He said the only markings in his clothing indicating he had any connection with the State hospital were found later in the lining of a pants pocket.

Phillips said Shoup was wearing gray, striped trousers and a gray jacket when brought to the prison and there were "no external markings "indicating he was an escaped mental patient.

Phillips said Shoup was committed to the prison as William Sharp, and gave his address as Pottsville.

Philadelphia Negro Gang Attacks Boys

PHILADELPHIA (AP) — Three white boys, going home from a high school basketball game, told police they were set upon by a group of Negroes Tuesday night. Police reported Wednesday one youth was severely beaten, a stab wound in the head leaving him partially paralyzed.

The injured youth is Thomas Cerone, 18. Doctors at Philadelphia General Hospital said the knife wound, just above the base of the neck, apparently affected the spinal cord.

LEFT GAME

The group of Negroes was estimated by the white boys at about 15.

Cerone was with two West Catholic High schoolmates, Michael Daring, 17, of nearby Yeadon, and James Gannon, 18, Philadelphia, when the three were attacked, they told police. They had just left a public high school championship game in which John Bartram defeated Benjamin Franklin, 61-57. Both Bartram and Ben Franklin schools have large Negro enrollments.

Prostitution Plan Shocks Philadelphia

Officials Denounce Grand Jury Proposal

PHILADELPHIA, Mar. 4 (AP).—From Mayor Richardson Dilworth on down, officials of Philadelphia registered shock and dismay today over a grand jury recommendation that prostitution be legalized here.

"It's not even worthy of comment," said the Mayor of yesterday's jury pronouncement. "I can't take it seriously."

Albert Brown, Police Commissioner, said if the suggestion was a reflection of the community's thinking it wasn't good thinking. "Frankly, I'm surprised at any effort to compromise with moral issues."

The head of the vice squad, Capt. Clarence Ferguson, said the proposal was the biggest shock in his long police career. "It's ridiculous," he asserted.

Joseph Hersch, the Chief Magistrate, was concerned about the effect of such a suggestion on teen-agers. He said the problems of juvenile delinquency were large enough without such suggestions.

Bishop Fred Pierce Corson, Resident Bishop of the Methodist Church in the Philadelphia area, said: "Decent people who still compose the vast majority of our city's population ... will be shocked at the unabashed proposal ... to make Philadelphia a wide open town by commercializing prostitution.

"We must not be deceived by thepretty picture the grand jury paints of the social cancer of prostitution when it is legalized.

"We must not forget the conditions of vice, crime, corruption and [illegible] which made prostitution so debauching when it was legalized, and brought about the removal of the cloak of legality from its evil practices."

The Bishop described the grand jury action as evidence of the "deterioration of moral standards and social practices from a source which has the reputation of guarding the city from the entrenchment of commercialized vice.

John F. Hoehn jr., a warehousemen and jury foreman, said the group felt legalization of prostitution would help stop raps and other sex crimes. He said this was the chief reason of most members of the panel for making the recommendation.

The original idea for legalized prostitution was made by a jury member, Miss Esther Jacoby, forty, who envisions a "red light" district supervised by police and health inspectors. She said she got the idea after sitting in court last month and hearing more than 100 sex cases.

Who put boy's head on bus?

By MILDRED O'NEILL

PHILADELPHIA

Police are seeking the identity of a boy whose head was found on a PTC bus which was parked in a depot at 26th St. and Allegheny Ave.

The gruesome discovery was made by a cleaner last week after he started to clean the bus which had been parked in the depot overnight.

The cleaner's hair stood on end as he closed his eyes, opened them and looked again.

But it was not a mirage—the head was on the rear seat — its ghostly eyes staring at him without blinking an eyelash.

* * *

HE TRIED to run but he was glued to the spot — just like in a dream.

The cleaner managed to scream which attracted another cleaner to the bus.

The second cleaner's scream jolted him out of his trance and both ran to the superintendent's office, and police from the 22nd St. and Husting Park Ave. station were summoned to the scene.

The head was removed to the Medical Examiner's office where it was determined that it was that of a boy between the ages of 10 and 11.

* * *

THE BOY has been dead a short time, according to authorities at the examiner's office.

A hole was found at the right ear which could be a gunshot wound.

On Friday the head was removed to the University of Pennsylvania, where an expert analysis will be made.

Homicide detectives are checking on four boys between the ages of 10 and 12 who are missing in the Philadelphia area.

Authorities said there was a possibility that the head was brought to Philadelphia from another city or state, but what happened to the rest of the body remains a mystery — along with his identification—how he was killed — and by whom.

13 1961

SOUTH CAROLINA

Two Negro Youths Held In Robberies

A Negro youth pleaded guilty in magistrate's court yesterday to armed robbery of a Coming Street liquor store and to robbing and shooting a service station operator. He was ordered held under $50,0.. bond for General Sessions Court.

A second youth was also ordered held on charge of assault and battery with intent to kill and armed robbery in the service station robbery. His bond was set at $25,000.

Magistrate George P. Runey heard the pleas of Herman Green, 19, in the armed robbery of a Comet Oil station at Spring and St. Philip Streets about 12:30 a. m. Thursday. Henry E. Whetsell was shot in the leg in the scuffle.

Green — also known as "Bummer" and "Herman Armstrong" — and George Brooks, also 19, were held in the service station robbery. Green also pleaded guilty in the armed robbery of the Giaffis liquor store at 182½ Coming Street about 1 p. m. Thursday. William Lefter, clerk in the liquor store, was hit with a pistol when he tried to halt the bandit.

The robberies were among five committed in the Charleston area within a 48-hour period last week. City and County police officials reported yesterday investigations were progressing on the other crimes.

Chief William F. Kelly of the City Police Department, said the case required a lot of leg work and credited the relatively quick apprehension of the suspects to the "excellent job" done by his force. He said detectives Joseph Wong, Cambridge Jenkins, and George Gathers had "worked round-the-clock" on the cases.

2 Negroes Suspected In Robberies

Two Negro youths were arrested yesterday in connection with two of five armed robberies that have occurred in the Charleston area within the last three days.

Police Chief William F. Kelly said they are being questioned concerning holdups at Giaffis Liquor Store on Coming Street and at a Comet Oil Co. service station at Spring and St. Philip. He identified the youths as Herman Green, 19, and George Brooks, also 19.

Detectives Joseph Wong and Cambridge Jenkins Jr. took Green into custody about 3 p. m. yesterday. Brooks was arrested later.

Both will face magistrate's hearings early this week, police said.

The liquor store robbery took place about 1 p. m. Thursday. A clerk was struck on the head with a pistol when he refused to give the money to a young Negro bandit.

After a scuffle, the bandit got away with approximately $45.

At 12:30 a. m. Thursday, a Comet Oil Co. service station attendant was shot in the leg during a scuffle with two Negro youths who attempted to rob him. The holdup men fled empty handed.

16-Year-Old Negro Youth Shot In Chest

A 16-year-old Negro youth was shot in the chest last night in Union Heights.

County Police Director Marion J. Schwartz said Carl Cook Jr. of 2924 Baker Ave., Union Heights, was shot in the lower left chest around 6:15 p.m.

Norvell Darby, 19, is being held without charges pending the outcome of Cook's injuries, County police said.

Cook was taken to the Charleston Emergency Room and admitted to the Medical College Hospital, Emergency Room attendants said.

13b 1961

(SOUTH CAROLINA) (NEW YORK)

N. Y. court set to hear his appeal

(SPECIAL TO AFRO)

NEW YORK CITY, N.Y.—A renewed effort is being made to prevent the return of the Rev. Walter M. Cavers to South Carolina where he faces a term of 18 months on a chain gang.

Jawn A. Sandifer, the minister's attorney, announced that the Appellate Division of the State Supreme Court has agreed to hear an appeal from the ruling of a Supreme Court justice ordering the Rev. Cavers be return to South Carolina.

The case is to argued before the Appellate Court on May 22.

Also, a group of ministers headed by the Rev. Sandy Ray of Concord Baptiist Church, Brooklyn, made a second appeal to Gov. Nelson A. Rockefeller to deny extradition of the Rev. Cavers.

* * *

MEANWHILE, the minister has been released in custody of his lawyer. He has a 24-hour guard to forestall any attempt to return him south by force.

The guard is the result of an attempt last February by three men to kidnap the minister, the lawyer said.

The minister, a former resident of Charlotte, N.C., lost an appeal to the New York Supreme Court, April 19, when his plea for a writ of habeas corpus was denied.

* * *

IN DENYING the plea, Acting Supreme Court Justice Irwin Shapiro said:—

"The color of the defendant's skin in no little way affected the verdict in South Carolina."

Regarding the verdict, the Justice said: "If I had any discretion at all in this matter, I would grant the writ and free Mr. Cavers.

"This is something I do as a matter of law that I do not believe as a matter of fact or as a matter of justice."

* * *

THE MINISTER was sentenced to the prison term as the result of the accidental death of an 83-year-old white man, William S. Dickson, in York, S.C., March 18, 1958.

Following the sentence, the minister jumped bail of $5,000 and fled to New York. He was arrested on an extradition warrant during May, 1960.

The case has been in litigation since that time.

U. S. Court Hears Dillon Negro's Death Plea

The News and Courier Charleston S. C.

By Washington Correspondent

WASHINGTON — The fate of Quincy Bullock, Negro illiterate condemned to death for the slaying of Mrs. Carolyn Barfield Wolshock, Dillon white woman, in 1958, was put up to the Supreme Court Monday in two hours of argument which evoked lively questioning from the bench.

Bullock contended through counsel that he was beaten and otherwise coerced into making the oral and written confessions which were the mainspring of the state's case against him. The state contended on the other hand that "extraordinary precautions" had been taken to protect Bullock's person and rights.

"We abhor brutal treatment of prisoners in South Carolina," Fourth Circuit Solicitor Robert L. Kilgo of Darlington told the high court. "If this court determines from the record in this case that there was a single incident of brutal treatment of Quincy Bullock, we want the conviction reversed and the case sent back for retrial."

Kilgo presented the entire argument for the state, but was flanked at counsel table by Attorney General Daniel McLeod and Norwood Gasque of Marion, who was a family - retained private prosecutor in the original trial.

Matthew Perry, Spartanburg Negro attorney, argued the case for Bullock. He was accompanied by W. B. Hawkins and Herbert N. Britt, Dillon attorneys who were appointed by the court to defend Bullock, and by Lincoln C. Dickens Jr. and Donald James Sampson, Negro attorneys of Columbia and Greenville, respectively.

Mrs. Wolshock was shot to death Aug. 3, 1958, in a swamp near a cemetery on the outskirts of Dillon. Earlier in the evening, she and her companion, James Horne, had been shot at while in a car parked in the cemetery.

Bullock was arrested by Dillon Sheriff J. D. (Pete) Rogers four days later, confessed orally the following day and signed two written confessions three days later.

Perry argued that he had been held incommunicado, moved about from jail to jail in three counties during prolonged questioning, beaten by law enforcement officers, faced with mob violence and left uninformed of his right to counsel or his right to remain silent.

But Kilgo cited evidence for the high court to show that Bullock had not been held incommunicado — both his wife and his sister-in-law talked to him at length after his arrest — and that the Negro — on the basis of his own testimony — was at no time aware that a crowd of about 200 persons had formed outside the Dillon jail after his arrest.

Kilgo told the court that Bullock's first admission of guilt came about 26 hours afer his arrest. He asserted that the prisoner had been questioned for an aggregate of only two and a half hours in that period, and was not denied food, sleep or other amenities.

The Darlington solicitor conceded that Bullock had been questioned at one time in the chambers of an absent judge and later had been removed from the Dillon jail to Marion. But he said these steps had been taken to protect the Negro from any possible harm at the hands of the crowd outside the Dillon jail. Kilgo said Bullock's own physician testified he had examined Bullock and found no evidence of a beating.

Argument of both sides was repeatedly interrupted by questions from the bench. Eight of the nine jurists interplolated questions. Associate Justice William O. Douglas, who had no questions, made notes almost unceasingly during the two-hour hearing.

Selma Negro Bond Jumper Held In N. Y.

Birmingham Post-Herald

NEW YORK, Jan. 12 (UPI) — A Southern Negro minister arrested here for jumping bond in a South Carolina traffic death was ordered held under $3500 bail today pending a hearing next Tuesday.

Magistrate Peter M. Horn set the bail for the Rev. Walter Cavers, 51, of Selma, Ala., in Queens Felony Court.

Two patrolmen arrested Cavers, a former Charlotte, N. C., pastor who was active last year in Negro sit-in demonstrations at Rock Hill, S. C., when he showed up at a Harlem home yesterday.

Detective David Snipe said the Negro had been sought since he left South Carolina while under $5000 bond pending an appeal of a vehicular homicide charge. Cavers was convicted of driving at a high rate of speed when his car collided with another car, killing William S. Dickson, 83, instantly.

A ruling is pending on a request by used car dealer Harvey Manners of Rock Hill, who posted the bond, not to forfeit the $5000.

Cavers was charged and convicted in York County, S. C. He contended he did not get a fair trial in the county because of his integration activities.

Guard May Lose Sight As Result Of Campus Shooting

Birmingham World Birmingham, Ala.

ORANGEBURG, S. C. — (ANP) — A Negro campus policeman at State College for Negroes here probably has lost his eyesight from a shotgun blast suffered last week while trying to arrest a man after a women's dormitory reported an intruder.

Sat., 2-18-61

Spokesmen at Orangeburg Regional Hospital said Samuel Nelson 29, is not likely to regain his sight. Birdshot entered both eyes from a shotgun blast at close range.

City Police Chief C. H. Hall said a Ft. Gordon, Ga., soldier, a native of Orangeburg, is being questioned by local and state officers. across the campus and cornered

Nelson said he chased a man him behind the college president's house where the man said, "I give up. You've got me covered."

As Nelson holstered his pistol, a shotgun blast struck him in the face, hands and arms. The man fled.

Hall said the soldier was picked up later in the day.

Two Muslims Get 70 Years For Robbery

The Pittsburgh Courier Pittsburgh, Pa.

FLORENCE, S.C.—Two avowed members of the religious cult Temple of Islam (Muslims), who allegedly made two bold robbery strikes in adjacent Darlington County, wound up with totals of 35 years each in state and Federal prisons Monday.

U.S. Judge C. C. Wyche issued 25 years sentences each to Harley Parie Allston Jr., alias Al Furquan, and Kenneth Williams, alias Keith Malik, both 20 years of age. Two days earlier, each recevied 10 years in state court at Darlington for armed robbery of a filling station, and which was not related to the Federal case against them.

■

THE FEDERAL sentences, which they will serve first, grew of an abortive bold daylight robbery of the Citizens Bank in Darlington on Jan. 26.

The pair was nabbed by officers as they fled the bank with some $3,000 in a paper bag, and while two Darlington police officers stood motionless, afraid to pull their guns less bank employes be injured. The youthful bandits told officers they'd taken the money in order to return to the New York area. Both are natives of this aera.

—More for Your Money In The Courier—

13 1961

TENNESSEE

BOMB

2 Charged in Chattanooga After Bomb Blast in Car

CHATTANOOGA (AP)—A charge of unlawful possession of explosives was placed Thursday against A. Roland DuPree, 21, seriously injured last week when a homemade bomb went off in a car.

A similar charge was placed against DuPree's companion, Harley E. Gilreath, 28, of Fort Oglethorpe, Ga., who was driving the borrowed car when the explosion occurred.

DuPree, of Lupton City, Tenn., lost his right hand in the Feb. 27 blast and suffered severe burns of the face and body, internal injuries and cuts on his left leg. A medical report said his eyes may have been damaged.

The bomb exploded in front of the home of J. C. Lamb, plant superintendent of the Chris-Craft Corp. here. Both men are employed at the plant.

Gilreath and DuPree denied knowing the bomb was in the car or that Lamb lived in the area. They said they discovered the smoking bomb as they drove along and were trying to get rid of it when it went off.

A session's court hearing for Gilreath, set for Thursday, was passed until March 28 and DuPree's hearing was set for the same date.

NEGRO GETS LIFE TERM

Tommy Jones Sentenced On Kidnaping Charge

Tommy Jones of 704 Marianna was sentenced to life imprisonment yesterday by Federal Judge Marion S. Boyd after an all-male jury found the 34-year-old Negro guilty of kidnaping.

Jones was convicted of taking a South Memphis Negro woman on Nov. 5, 1959, from Ford and Peebles Road to DeSoto County, Miss., and then robbing her, assaulting her and stealing her automobile.

The jury, which included one Negro, deliberated about 45 minutes yesterday afternoon before presenting its verdict to Judge Boyd. "We recommend," they said, "that the death penalty not be imposed." The jury decided that Jones had harmed the woman.

Jones will be eligible for parole after 15 years.

Photographer Acquitted Of Bus Incident

A 37-year-old Negro artist-photographer was acquitted Friday in Chattanooga, Tenn., of charges that he tried to wreck a Greyhound bus last Dec. 11 enroute to that city.

Thomas M. Pennington of Atlanta was accused of following the bus and repeatedly driving in front of the vehicle all the way to Chattanooga from Atlanta. Eleven days later Pennington was fined $50 on a wreckless driving charge.

Pennington appealed the case to the County Criminal Court and was freed by Judge Campbell Carden after the state failed to prove its case.

Pennington explained to the court that he and a companion, Walter Allen Collins, 23, had been paid to follow the bus and pick up two Negro men and women who boarded the bus. He said the Negroes feared they would be put off of the bus, but they arrived without incident.

He did not say who paid for the trip or the basis for the Negroes' fears.

Three Fined $1, One Is Cleared In Faked Crime

Ex-Deputies Ask For New Trial — Accused Of Framing Negro

By WESLEY PRUDEN JR.

Fines of $1 each were decreed yesterday against three of four ex-deputies accused of trying to frame a Negro man on a burglary charge.

The fourth ex-deputy was acquitted.

Defense lawyers, who seemed almost as surprised at the penalty as the state's attorneys, asked that Criminal Court Judge W. Preston Battle order a new trial.

The formal charge was official oppression — a misdemeanor.

One Armits His Part

He set a hearing on this motion for June 16.

The convicted men, former Sgts. Earl Bizzle and W. H. Sellers and former Deputy Sam Hall and former Deputy Gordon Armour, who was acquitted, were accused of forcing Frank Harvey Mitchell, 27, to leave his fingerprints in a window sill at Levi School last Aug. 14.

Sergeant Bizzle admitted forcing Mitchell to climb into the window, and Hall testified that he was a party to it. Bizzle said he told Mitchell "We could pick him up some night and put him in a store window like that and get rid of him mighty easy."

All but one of the jurors, all white men, declined with varying emphasis to discuss the light penalty, or the reasoning that led them to it.

"It was mutually agreed before we left that (jury) room that none of us would have any comment whatsoever," Clark S. Pilgrim of 5372 Normandy Road East, said. He is sales manager for the Quaker Oats Co.

The only juror willing to discuss the verdict indicated reluctantly that Mitchell's race influenced the deliberations.

Q.—Was the fact that he was a Negro accusing four white men an important consideration of most of the jurors?

A.—Well, are you from Memphis?

Q.—Does that mean that Mitchell's race was a consideration?

A.—You newspaper guys are pretty good at figuring things out.

Jury foreman George E. Walters of 5345 Laurie Lane, a salesman for the J. I. Case Co., said, "I would not want to comment. I just wouldn't want to comment at all."

The punishment — the minimum possible under the statute which provided a maximum of a $1,000 fine or a year in jail—was fixed by the jury.

One juror, Wallace M. Graves of 11 North Rembert, was absent for the third day because of illness. Judge Battle, who excused him, declined to say whether he knew the nature of his illness.

Mr. Graves was not at home yesterday afternoon after the trial.

The acquitted deputy has not been put back to work.

Sheriff M. A. Hinds said his status will remain the same—under suspension — until he studies the transcript of the seven-day trial.

Sheriff Asks Transcript

"The jury has found three of the four men guilty," Sheriff Hinds said. "I understand the three have motions for a new trial pending in Criminal Court.

"I have asked for a transcript of the testimony at the trial. I will have a statement as soon as I can obtain the transcript and read it."

13 1961

TENNESSEE

Sharecroppers Fired Upon In "Tent" City

Atlanta Daily World

Atlanta, Ga.

Jan. 1-1-61

SOMERVILLE, Tenn. — (UPI) — Two "shadowy figures" in a speeding car opened fire early Saturday on Negro sharecroppers huddled in Somerville's tent city and the attack was answered by shotgun blasts. No one was injured.

The shooting incident was the second in the last three nights. Jerry Williams, Jr., 25, one of the residents of tent city, was wounded in the arm Thursday morning when unidentified assailants fired into the canvas dwellings.

Between 50 and 75 Negroes have taken refuge in the tent city, which residents call "freedom village." They contend they have been driven off their land because they registered to vote in the November election. White land owners claim the sharecroppers were let go because of a lessening demand for hand labor.

The government contends that landowners plan to begin evicting about 700 Negro tenant farmers in Haywood and Fayette counties starting New Year's Day. Friday court orders were handed down in Cincinnati, Ohio, and Memphis temporarily blocking such action.

Sheriff Clarence E. Pattat of Fayette County said he has asked the FBI and the Tennessee Bureau of Investigation to help with the investigation of the latest shooting. He criticized Negroes for not reporting it immediately.

James Forman of Chicago spokesman for the Negro group said he was in Memphis, 40 miles away, taking part in a motion picture to publicize tent city when the latest shooting occurred.

He confirmed the Negroes fired back but said he did not "want to make a statement" when questioned about the type of guns with which the sharecroppers were armed. Pappat said most of them have hunting guns."

A total of 13 tents comprise tent city. The tents are located along a black-top road on the 200-acre farm of Shepherd Towles, 52-year-old Negro farmer.

Whites have described tent city here as "strictly a publicity stunt." One man who declined use of his name said "everyone in those tents have been offered places to go, farm representatives have even offered to move the sharecroppers to new working places."



MRS. AUDLEY MOORE POINTS TO SHATTERED GLASS

Terrorized By Bigots Bullets In Tennessee

The Louisiana Weekly

New Orleans, La.

Sat. 1-14-61

An outstanding New Orleans woman enroute home from the La. Welfare hearings in Washington, D. C., was terrorized by flying bullets, just outside of Bean's Station, Tenn., early Tuesday morning, January 3.

Mrs. Audley Moore, president of The Universal Association of Ethiopian Women, Inc. disclosed Tuesday afternoon, that a group of white men in a car, followed her in the automobile she was driving for some 10 or 15 miles, and later one of the men in the car, shot twice into the car, as Mrs. Moore was headed for New Orleans.

"I was not injured by the shots, Mrs. Moore said, but the bullets shattered the front and left front glasses of the car, as a result, I lost control of the vehicle and the car went into a ditch, causing damage to the car.

According to Mrs. Moore, about 2 a.m., a driver of a trailer truck pulled her car out of the ditch. Later after arriving in Knoxville, Tenn., she reported the incident to Tenn. State police.

Mrs. Moore stated the men in the car, must have been known to the gas station attendant at Bean's Station, where she stopped for gas, because they were talking at the service station, and later followed her car.

The attack on Mrs. Moore and her companion came close to resulting in open murder. Some observers thought that the campaign of terror being conducted by the white supremacists of Fayette and Haywood Counties, in an attempt to prevent relief supplies from reaching the helpless refugees there, might have been the immediate reason for the unprovoked and murderous attack.

Mrs. Moore has been known for many years for her militant work in behalf of her people. She visited Washington only a month ago to testify in behalf of the Louisiana children who were taken off the relief rolls by the reactionary and racist Judge Cocke set Feb. 1 as the deadline for the appeal.

Meanwhile at Clearwater, Florida, lunch counters in 21 Pinellas county stores were desegregated on January 3 through a previously arranged agreement of the management of stores in St. Petersburg, Clearwater, Dunedin and Largo.

According to reports only one Negro woman showed up to eat with white patrons.

The Pinellas county stores agreements were similar to those reached earlier between Negro leaders and managers of several stores at Tampa, Sarasota and Bradenton.

Negro held in stabbing Greyhound bus driver

DICKSON, Tenn., Feb. 4—(AP)—One Negro was charged with assault with intent to murder and less serious charges were placed against three others Saturday as the result of a melee in which a Greyhound bus driver was knifed.

The driver, Forrest Darnell, 45, of Memphis, was reported in satisfactory condition Saturday night after doctors closed his wounds with more than 100 stitches. He was knifed Friday night at the bus station here.

Sheriff James R. Weems said Roy Edward Holt, accused of wielding the knife, was charged with assault with intent to murder and released under $2500 bond.

The sheriff said James Hall Jr. was charged with resisting arrest, disorderly conduct and breach of peace; Douglas Hughes with public drunkenness, disorderly conduct and breach of peace, and Willie Hogan with public drunkenness.

HALL WAS SHOT in the heel by a state trooper who arrived on the scene shortly after the fight broke out.

The Negroes, all employed as porters at Nashville banks, appeared before General Sessions Judge Clark Leech Saturday. Leech said trial would be held next Friday if Darnell is able to testify by then.

The trouble started, State Trooper Donald Martin reported, aboard a Greyhound bus from Nashville. Witnesses told the trooper the Negroes made insulting remarks to white women on the bus and an argument with white men followed.

When he arrived at the bus station, Martin said, Hall and Hogan and several white men "were throwing rocks and sticks, and everything else they could get their hands on at each other.

"I GRABBED Hall and Hogan but Hall got loose and ran. I had to shoot him in the heel to stop him," Martin said, adding that he fired a warning shot into the air first.

Darnell was apparently knifed while a passenger was attempting to call police from a phone booth, Martin said. He was cut on the back, chest and stomach.

13 1961

TEXAS

Jury Indicts Father, Son In Hijacking

EL PASO, Tex. (AP)—A federal grand jury indicted Leon Bearden, 38, and his 16-year-old son, Cody, Monday in the hijacking of a jet passenger airliner here last week. They will be arraigned in U. S. District Court later this week.

Authorities said the teen-age boy will be tried as an adult along with his father on a charge of conspiracy to commit kidnap.

Charges against the Beardens of Coolidge, Ariz., included kidnaping three members of the plane's crew and conspiring and agreeing to transport in foreign commerce.

EX-CONVICT

The elder Bearden also was charged with interstate transportation of a revolver by a person convicted of a crime of violence. Leon Bearden is an ex-convict who was convicted on a robbery charge.

The conspiracy charge said the Beardens made reservations by phone from their home in Coolidge for two seats on Continental Airlines flight 54 leaving from Phoenix, Aug. 3. The reservations were made July 17 under the aliases of Karl and Bob Schmidt.

The charge said they seized the plane by force at 1:55 a.m. in the air over New Mexico and told the pilot to fly the plane into Mexico. Their ultimate destination, it was said, was Havana, Cuba.

When told the plane was short on fuel they allowed the pilot to land at El Paso for refueling, the indictment said. While on the ground they held the pilot and four hostages from among the passengers at gunpoint.

Hijacker Of Jetliner Convicted

EL PASO, Tex. (AP) — Leon Bearden, 38, was convicted Wednesday of kidnaping, violating the Dyer Act and obstructing interstate commerce in hijacking a jet airliner over New Mexico Aug. 3.

A U.S. District Court jury deliberated just 22 minutes.

Bearden was composed and had nothing to say.

Bearden and his son, Cody, 16, of Coolidge, Ariz., seized control of a Continental Airlines 707 jet airliner in the air over Columbus, N.M., on a flight from Phoenix, Ariz., to El Paso, Tex.

Cody pleaded guilty at the start of the trial Monday to a simple Dyer—motor vehicle theft—act violation under the Juvenile Corrections Act.

Defense attorney Robert S. Pine has 10 days in which to appeal. He did not say whether he would.

Judge R. E. Thomason said he would wait until he received a presentencing report before pronouncing judgement.

The prosecution asked life imprisonment for Leon Bearden. The maximum sentence that can be imposed on Cody is confinement until he is 21. He will be 17 Nov. 13.

13 1961

TEXAS

Charges Dropped, But Negro Confined For Six Months

FORT WORTH, Tex. (AP)—A 37-year-old Fort Worth Negro said Sunday he was not bitter, "just grateful," after being released from jail where he had been confined for six months after charges against him were dismissed.

Jesse Marshall, formerly a janitor at Texas Christian University, was released Thursday after a probation officer checking through his records discovered the slipup.

Marshall was indicted last July on a robbery charge. The complaining witness, however, decided to drop charges and the complaint was dismissed Aug. 31. The probation officer, Cecil Stoker, said a report on the dismissal presumably was lost en route to the jailer.

"Just a goof someplace," Stoker said. "We'll never know what happened and you can't blame any one person—we're subject to error like anyone else."

Marshall, a slightly built man who Monday is to undergo a tuberculosis checkup, said he held no bitterness toward anyone but was "just grateful they turned me loose when they did."

"I didn't know what to do," he said. "If you ain't got nobody the outside—what can you do?

Marshall said the "whole thing was kinda goofy. They said I took $17 but it was $19 and my friends paid it back, anyway. And besides, it was a friend of mine that accused me of taking it."

Marshall, dressed neatly in a pink shirt and blue slacks, said the worst part of his ordeal was "being sick in that jail most of the time." He said a doctor gave him some pills that "didn't cure me but helped check my getting sick all day."

He said he would continue to stay at his cousin's house until he could find a job.

Separated from his wife since 1949, Marshall said he saw his 14-year-old son Saturday for the first time in two years.

Suspect in Utah Slaying Kills Self When Seized

MOAB, Utah, July 8 (UPI) — A one-time war hero, believed to have killed a woman and kidnapped her teen-age daughter, fatally shot himself last night when the FBI stopped him for questioning in southeast Utah.

Abel B. Aragon, 36, of Price, Utah, who won the Navy Cross on Guam in 1944 but now was an unemployed coal miner, shouted "prove it" to FBI agents who approached his car north of here and identified themselves.

It was not known for sure whether he was challenging them to prove his implication in the crime or was asking further proof of identity.

But he quickly rolled up the windows of his car, picked up a pistol fro mthe seat beside hi mand sent a bullet into his head. Aragon died about two hours later in a Moab hospital without regaining consciousness.

Sheriff John Stocks of Grand County said he was "almost positive" Aragon was the man who killed eJanette Sullivan, 41, of Rockville, Conn., last Tuesday and kidnaped her daughter, Denise, 15. The girl has not bee nseen since and the search for her was continued in land, air and water craft in southeast Utah. Stocks said he believed she was dead.

Mrs. Sullivan was shot in the back of the head when her party stopped to aid a motorist who seemed to be having engine trouble on a dirt road leading to Dead Horse Point, overlooking the Colorado River. Before the girl was kidnapped, the killer shot a third member of the party, Charles Boothroyd, 55, of Rockville, twice in the face.

New Charges Laid to Pair In Bombings

SALT LAKE CITY, June 20 (AP) — The Federal Government filed new sabotage charges today against Leonard Jerome Brous, 51-year-old New Yorker described as mad at the world and especially the telephone company.

These charges specifically accuse him and Dale Christian Jepsen with sabotaging the Cedar Mountain Microwave relay tower and the underground cable relay station at Knolls—both in western Utah.

Jensen is a 23-year-old Nevada miner and heavy equipment operator from Reno who said Brous hired him to blow up the relay spots.

Special agent-in-charge Leonard Blaylock of the Federal Bureau of Investigation here, said United States attorneys of Utah and Nevada will decide later where Brous and Jensen will be tried.

Blaylock said three charges were filed today before U. S. Commissioner E. M. Garnett. Two charge sabotage at Cedar Mountain and Knolls. The third charges conspiracy to commit sabotage

13 1961

VIRGINIA

Mystery: How, Why Did He Leave Moving Train?

The Journal and Guide

Howard Student Found Injured On Tracks

Norfolk, Va

1/13/61

Special Correspondence

DANVILLE, Va. —Fully a week after a Howard University dental student suffered serious injuries when he fell, jumped or was pushed from a moving train near here, details of the matter are shrouded with mystery.

The victim, Bernard Woodhouse, of Norfolk, injured by mysterious means Dec. 27, underwent an operation at the Whitaker Memoral hospital here Tuesday.

An aunt, Mrs. Goldie Stevenson of 863 Merrimac avenue, Norfolk, said on Tuesday that the former Journal and Guide newsboy had the bone in a fractured arm set, and doctors predicted that he will recover.

SHE ADDED that he will be moved to Washington this week, and that a battery of Freedmen's Hospital doctors is prepared to give him the best medical attention possible. Freedmen's is associated with Howard University's medical school.

Woodhouse's mother, Mrs. Lorenzo B. Woodhouse of 1013 St. Julian avenue, Norfolk, is in Danville with her son. She told the Guide that she "is not at liberty" to talk about the manner in which young Woodhouse was injured.

THE STUDENT was enroute to Washington from Franklin, La., where his twin brother, Lorenzo, Jr., had just been married. He left the moving train somewhere between Chatham and Danville, Va. The towns are 14 miles apart.

Mrs. Stevenson, a visiting teacher in the Norfolk public schools, said that in addition to a broken arm, Woodhouse suffered multiple lacerations over most of his body and scalp, and that he had been in constant shock until just before the operation on Tuesday. His condition continues to be painful; she said.

HARRY I. WOODS, a Danville attorney, has been investigating the case, but his findings have not been revealed. Some unverified reports said that there had been a disturbance on the train before Woodhouse left it.

The student's father, Lorenzo Woodhouse Sr., is a Norfolk postal carrier.

13 1961

WASHINGTON

Couple Sells Child For $4

SEATTLE, Wash.— (UPI)— A Seattle mother has been jailed and police were looking for her husband on charges the couple sold their 5-year-old daughter for $4.

Charges against August and Elsie Joseph, both 33, were filed in Justice court after Wilbert F. Bippus, 35, Portland, Ore., told Portland police he made the purchase in Seattle this week.

Bippus said he was a guest in the Joseph home when he saw the girl, one of seven Joseph children. He said he wanted to take her home to his wife in Portland.

He offered to buy the child and Joseph, according to prosecutor's office, asked $10. Bippus reportedly talked the price down to $4 and the deal was sealed.

Bippus took the girl home to Portland, but his wife was disgusted with the whole affair and made him return the child.

Couple Jailed In $4 Sale of Daughter, 5

SEATTLE, Wash., Apr. 8 (UPI).—A Seattle couple was held in jail today on charges of selling their five-year-old daughter for $4 after haggling over a $10 starting price.

Mr. and Mrs. August Joseph, both thirty-three, were accused in Justice of the Peace Court yesterday and held in $1,000 bail each after Wilbert Bippus, thirty-five, of Portland, Ore., told police in his city that he had purchased the child earlier this week.

Mr. Bippus told police he was a guest in the Joseph home when he saw the girl, one of seven Joseph children. He said he wanted to take her home to his wife in Portland. He offered to buy the child and Mr. Joseph, according to the county prosecutors office, asked $10. Mr. Bippus reportedly talked the price down to $4 and the deal was sealed.

Mr. Bippus took the girl home to Portland, but his wife was disgusted with the whole affair and made him return the child.

'New Lease On Life' For Ga. Fugitive

Conn. Gov. refuses extradition



GOOD NEWS — Henry Hayes, 50, of 63 Rock Creek Road, New Haven, Conn., listens to the good news as he learns that Gov. John N. Dempsey has refused to extradite him to Georgia to serve the remainder of a 20-year term for minor burglaries.

NEW HAVEN, Conn. — A 50-year-old New Haven resident was given what amounted to a new lease on life Friday when Gov. John N. Dempsey refused to send him back to a Georgia chain gang.

Henry Hayes, 50, of 63 Rock Creek Rd., was wanted in Georgia to serve out a 20-year term which he had been given for a minor burglary.

Hayes, who was known in the New Haven area as Albert Willis, escaped from a Georgia road gang in 1950, and had since lived "an exemplary life as a husband and a father."

Last May he was charged with a minor offense, on which he was dismissed. A fingerprint check, however, disclosed his identity as the wanted escapee.

* * *

FOLLOWING HIS arrest here Hayes steadfastly denied guilt in the crime for which he had been convicted and served nearly ten years in Georgia.

In refusing to send Mr. Hayes back to Georgia Governor Dempsey said that he was not setting a precedent, but was handling the case "on its own merits."

"There are times," he declared, "when justice must be tempered with mercy. This to me stands out as one of those times."

At an extradition hearing held Thursday, James T. Furrey, a Hampden contractor by whom Hayes is employed, gave him an unqualified recommendation.

* * *

PRIOR TO the hearing, over 2,000 letters, post cards, telegrams and signed petitions poured into the Governor's office supporting Hayes in his efforts to remain in New Haven.

13b 1961 (SOUTH CAROLINA) (NEW YORK)

Extradition Faces Pastor

Was 'Rocky' 'Informed' on Rev. Cavers?

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 4-29-61 P. 2
13 a (B&W only)

By ALFREDO GRAHAM

NEW YORK—The Rev. Walter Cavers, who fled Dixie "justice" to New York after being sentenced to a chain gang for accidentally killing a white man in an auto accident, must return to South Carolina, a judge ruled last week, but gave him a 10-day stay in an effort to save himself.

This led to speculation that Gov. Nelson Rockefeller was not fully aware of the facts in the South Carolina trial or he would have taken executive action to bar extradition of the minister.

Even Queens County Judge J. Irwin Shapiro, who conducted the hearing said in no uncertain terms that if he had any discretion in the matter he would have freed Rev. Mr. Cavers.

■

REV. MR. CAVERS leaped into national attention recently when a group of armed South Carolinians mauled him in front of Queens County courthouse in an effort to kidnap and lynch him after an extradition hearing.

An action committee representing the 35,000-member Empire State Baptist Convention expressed deep concern that Governor Rockefeller had not examined the trial record as closely as Judge Shapiro.

The Governor's record of equal justice for all races is well-known and this is what caused the Baptist group to fight for Rev. Mr. Cavers and to plan a protest rally over the week-end at Mount Olive Church, 120th St. and Lenox Ave.

Meanwhile, Rev. Mr. Cavers' attorney, Jawn Sandipher, is working during the 10-day stay to obtain a writ of habeas corpus from the Appellate Division.

News that Judge Shapiro, though sympathetic, could do nothing by law to prevent the return of Rev. Mr. Cavers to serve a chain gang term on an extradition order signed by Governor Rockefeller electrified the Baptist ministers here into action in last-ditch efforts to save him from being turned over to a South Carolina sheriff and some stout henchmen for the trip south.

■

THE ACTION MEETING at the Met[illegible] Baptist Church, 128th St. and Seventh Ave. last Wed[illegible] some Baptist ministe[illegible] "He will never reach the S[illegible]tive."

The meeting was held on the [illegible]y that Ju[illegible] some cuttin[illegible] about the conduct of the trial which was conducted in South Carolina.

Rev. Mr. Cavers was convicted of vehicular homicide in 1958 and kept insisting that he did not get a fair trial. William S. Diskcon, an 83-year-old white man, was killed in the accident.

While on bail pending an appeal, which was denied, the minister, acting on information that his life was in danger, refused to go back from a church convention here in New York. Since then he has been fighting extradition.

■

FEARS for his safety were further heightened when an attempt was made to abduct him at gunpoint outside the Queens Countty courthouse after one of the hearings.

He was beaten by a group of the dead man's friends and a bail bondsman, and threats were made to lynch him as soon as they got him outside of New York's boundaries.

Following this, he was given round-the-clock police protection by the New York Police Department.

Last Wednesday the Judge said he regretfully had to revoke the bail and Rev. Mr. Cavers was lodged in the Queens County jail. The judge at the same time had given him a 10-day stay before he would be turned over to South Carolina for the trip south.

■

JUDGE SHAPIRO said his hands were tied. "A careful reading of the South Carolina trial record," he said, "persuades me that the facts therein contained could not act as the foundation for a verdict of guilty in any court in this state."

He said it was fairly apparent that the color of the defendant's skin had "no little to do with his conviction."

[illegible]ment on to level caustic [illegible] South Carolina [illegible]

He said [illegible] different standards of [illegible] one for white defendants and another for Negroes—makes a mockery of the very principles upon which this government was founded and which have made it the leading exponent of democracy in all the world."

■

BAPTIST MINISTERS in New York are seeking to get Governor Rockefeller either to withdraw the extradition order or contact the Governor of South Carolina, seeking a pardon for Rev. Mr. Cavesr.

They said his life would be in danger and he would be sent to certain doom because of feelings generated against him in the course of his civil rights fight [illegible] years.

At the meeting Jawn Sandipher, NAACP lawyer assigned to the case and who has been fighting relentlessly to save Rev. Mr. Cavers from extradition, pointed out that the judge did everything he could, but there was a difference between the powers of the executive branch of the government and the judicial branch in considering a demand for extradition.

Rev. C. S. Stamps, minister of Metropolitan Baptist Church, and Rev. Richard A. Lowe, leading the movement, pointed out that the meeting was being held in the same place where Governor Rockefeller came to solicit the support of Negroes in his campaign for governor.

Negro Minister To Be Returned To S. Carolina

Atlanta Journal
Atlanta, Ga.
5-18-61

ALBANY, N.Y., June 17 (AP)—Rev. Walter M. Cavers must be returned to South Carolina to serve a jail sentence in a traffic-death case, Gov. Rockefeller said Saturday.

The governor said that, under the federal constitution, he was required to comply with the request of Ernest F. Hollings of South Carolina that the 51-year-old Negro minister be extradicted to the Southern state.

The Rev. Mr. Cavers was sentenced at Rock Hill, S.C., in 1958 to 18 months in prison on a vehicular homicide charge stemming from an automobile accident in which William S. Dickson, 83, white, of Rock Hill, was killed.

The minister appealed on the ground he had not received a fair trial. While free in $5,000 bail, he came to New York State. The appeals court denied the appeal and the Rev. Mr. Cavers remained in New York City.

Last Wednesday, the appellate division, second department, of New York's Supreme Court upheld a lower court ruling that refused to grant the minister's request for a writ of habeas corpus in his fight against extradition.

The Rev. Mr. Caver's home is at Charlotte, N.C. He was picked up in New York City last January on a fugitive warrant.

Rockefeller said he was unable to get Hollings to agree to a proposal that the Rev. Mr. Cavers be paroled in this state. Rockefeller said Hollings has assured him that the minister would have "safe custody" in South Carolina.

Rev. Cavers wins another stay

NEW YORK — The Rev. Walter Cavers won a stay—until Thursday—on his extradition to South Carolina. Convicted of homicide in the automobile death of a white man in York, S.C., the Rev. Mr. Cavers sought refuge in New York.

Since then he has waged a long legal battle against extradition. At one point, he accused a white South Carolina bondsman of trying to forcibly return him south.

Last month, Gov. Nelson Rockefeller signed the papers extraditing the minister despite his statement that he would be killed if he ever set foot in the state again. His South Carolina sentence is 18 months.

Lynch Try Claimed By Negro Who Jumped Bail In Carolina

NEW YORK (AP) — A Negro minister, who jumped bail to avoid imprisonment in South Carolina, was seized on a busy New York street Friday by three men whom he said were bent on lynching him. His wife's screams brought a crowd and the would-be abductors fled.

The victim, the Rev. Walter M. Cavers, 51, quoted one of his attackers as warning him: "If you be quiet, we won't kill you here. We're going to lynch you."

Cavers said a second man remonstrated: "Don't kill him here. We'll kill him as soon as we get him out of here."

Cavers has been fighting extradition to Rock Hill, S.C., where he is under sentence of 18 months for reckless driving in a traffic accident that killed a white man. He was described as an active integrationist there.

Only minutes before the street attack, the minister had won a further delay in his case, in which he has sought intervention from Republican Gov. Nelson A. Rockefeller. Cavers claimed to fear for his life if he is returned to South Carolina.

RECOGNIZED ATTACKER

Cavers told the Queens district attorney's office he recognized one of his white attackers as a friend of the dead man. A search was launched for the trio and Cavers, meanwhile, was assigned a bodyguard.

The minister said two of the men dragged him from his car in front of the Queens County Courthouse, one of them punching him in the face while a second brandished a gun. The third man, Cavers said, remained at the wheel of a station wagon into which the pair sought to drag him. The wagon had South Caroline license plates, Cavers added.

The scene of the attack outside the courthouse in Long Island City is one of the busiest areas in the city. It is a triangle of court buildings with hundreds of judges, lawyers, policemen and court attaches coming and going throughout the day.

Cavers originally was a minister in Charlotte, N.C. On March 18, 1958, his car collided with another in York, S.C., and William S. Dickson, 83, was killed in the accident.

Witnesses testified the minister was driving at high speed and he was convicted of reckless homicide and sentenced to 18 months in prison. Contending he had not received a fair trial, Cavers appealed the conviction and was freed on $5,000 bond.

When the appeal failed, Cavers failed to report to begin his sentence and South Carolina authorities obtained a fugitive warrant for him.

NO CHURCH

Cavers, meanwhile, came to New York last May. He had no church here but served as a guest preacher and lecturer. He remained active in integration matters.

Last November, Cavers' wife, Elizabeth, 32, and their daughter, Linda, 14, joined him here.

The minister was picked up early last month on the fugitive warrant. Extradition proceedings were begun by South Carolina but postponed the first time last Jan. 17 to permit an appeal to Gov. Rockefeller.

Cavers returned to court Friday and his lawyer asked a further delay, saying Rockefeller has the case under consideration but has not reached a decision. Judge Peter T. Farrell continued the minister in $3,500 bail and postponed his case to Feb. 23.

The Cavers left the courthouse and walked across the street to their parked car. They had just entered it, he said, when the two men approached from the station wagon parked directly behind him.

Cavers said one of the white men hit him and pulled him from the car, beating him in the face and directing a vile racial epithet at him. The other man, he claimed, brandished the gun.

The white men got the minister out of his car and were dragging him to the station wagon when his wife's screams attracted a crowd of passersby. The men then released Cavers and drove away.

13c 1961

ALABAMA

Cold-Blooded Tale Related To Officers

Montgomery Advertiser 8/
Thu 7-27-61

GUNTERSVILLE (AP)—An 11-year-old boy Thursday admitted shooting to death a rural mail carrier and setting his car afire, Sheriff Warren Jones said.

The sheriff said William Earl Franks, son of a construction worker, told how he trapped Joseph R. Thompson by raising the flag on a rural mail box "because he had an urge to take his money."

Montgomery Ala

Thompson, 31, was found shot and burned beyond recognition Wednesday by James Stapler, 15, who lived nearby. The Stapler youth said he heard a car horn blowing and went to investigate.

The youth found the mail carrier slumped in the front seat and the inside of the car burning.

5 CARTRIDGES FOUND

Five expended .22-caliber cartridges were found on the ground beside the driver's seat.

The sheriff said this led officers to begin a search for a rifle in the neighborhood.

"We found tracks leading from the car into a cornfield, but we lost them Wednesday night," Jones said.

The Franks boy lived with his father, Junior Franks, and his grandmother about 300 yards from where the postman was killed.

The sheriff said the boy made a statement describing how he carried out the killing. Jones said the boy related that he simply raised the flag on a mail box, signaling for the postman to stop. And when he stopped, he simply shot him, the sheriff said.

Jones said the boy releated he fired at least seven times from the single-shot rifle.

SET MAIL AFIRE

The boy told in his statement how he piled up the mail in the automobile and set it on fire.

The mailman's cash box was found open in the front seat beside the driver.

Jones said the amount of money missing had not been determined. None was recovered.

Officers recovered several books of stamps and the postman's watch, the sheriff said.

Routine questioning in the neighborhood led to the child's arrest.

Jones said they had asked members of the Franks family if they owned a rifle or pistol and were told they did not.

"We went to other neighbors Some owned rifles and pistols He examined them. One neighbo told us the Franks owned a rifle

"We went back and found th rifle. Then we took the boy i for questioning."

"He appears to be a norma boy. He is about average. Hi hair is brown, and he looks lik any boy his age should look, guess," the sheriff said.

Jones said he had not hear of any previous difficulties wit the boy.

Thu 7-27-61

The burning car was discovere barely minutes after the killing.

Officers searched the area an nearby woods until about 2 a.m when fog forced them to quit.

No charges were filed imme diately as the boy was placed i the Marshall County Jail here.

GUNTERSVILLE—Franks sai he had given his son the rifle a a Christmas present two year ago.

Montgomery Advertiser

The boy had been promoted t the sixth grade and his fathe said he made mostly B's an C's. He attended Welcome Hom Holiness Church near Grant wit his grandmother.

The Franks' lived on a 10-acr farm and raised mostly corn.

Franks said his son spent a great deal of time watching tel evision and reading comic books He said he also liked to shoo at cans and other targets aroun the house.

Few Clues Left By Bank Robber

AUBURN (AP)—A weekend of work has given officers little encouragement in their attempts to catch the holdup man who took $29,200 from the Bank of Auburn Saturday.

Lee County Sheriff Eugene Lowe and spokesmen for Auburn police and the Highway Patrol said a check of strange cars seen in Auburn about the time of the holdup yielded nothing. Lowe said no clues have turned up other than the description of the bandit given by bank employes.

Police said the robber, a white man about 35, leveled a gun at three bank employes, ordered a paper sack filled with currency and fled with the money. There were no known witnesses to the getaway.

The gun-waving holdup man was described as about 5 feet 8 inches tall and weighing 160 pounds, having dark hair, greying at the sides.

Two Negro Men Report Beating

ANNISTON (AP) — Two Negro men from Talladega told police they were beaten by several white men Monday while waiting for someone to arrive on a train.

Police quoted Arthur L. Baker and Moses Lawler, both of Talladega College as saying they were sitting in their car waiting for a student nurse to arrive when four or five white men pulled them from the car and struck them several times.

Officers said they were told the men took Lawler's bill fold.

witnesses and only a broken headlight as evidence.

Lewis Jackson, 1300 Anderson Lane, was arrested about noon and charged with leaving the scene of an accident. Public Safety Director Floyd H. Mann said Jackson admitted running into Winston Maples, 49, as Maples crossed U.S. 80 (Atlanta highway) near Perry Hill road about 9:45 p.m. Friday.

Jackson told investigating officers that he stopped after hitting Maples, and flagged down another motorist. Then, Jackson said, a crowd gathered and he "got scared and went home," leaving the victim in the middle of the highway.

NOT VERIFIED

Jackson's statement about stopping before he left the scene had not been verified by 7 p.m. Saturday, Mann said.

The break in the statewide search for the driver of the hit-and-run car came when particles of a broken headlight from the car were identified as coming from a 1955 model Buick, with a light blue or green color. Patrolmen began checking car dealers Saturday morning, and within two hours after the exact make and model had been determined, the highway detectives were on the trail of Jackson.

An unidentified friend of Jackson's came to the same automotive dealer who had determined the kind of car involved, wanting to buy a new part exactly like the one broken in the accident. The Highway Patrol would not release the name of the car dealer.

The dealer got the purchaser's name and automobile tag number, and telephoned the Highway Patrol.

Under questioning, the man admitted that he was buying the light for a friend, Jackson, and gave patrolmen his address.

Jackson was arrested at his home shortly afterward and charged a few hours later.

State Investigator Lt. Willie B. Painter, working with a team of investigating patrolmen had the make and model of the car involved narrowed down within two or three years before they took the evidence to the automotive dealer who later reported the purchase of the corresponding car equipment.

Every available patrolman, deputy sheriff, and city policeman in the area was alerted to watch for a car with a smashed in right headlight and fender, and the "all cars" notice stayed out until noon.

Patrol Sgt. W. O. (Red) Nichols creited the 'helpful attitude' of the dealer and "other interested public citizens" with the arrest and subsequent statement.

"We can put in hundreds of hours of work on cases like this, and never get anywhere," the sergeant said. "Then the public can help like this man did, and make it all pay off. We had a lot of good luck on this one."

Suspect Held In Hit, Run Death Here

The Highway Patrol arrested a 52-year-old Montgomery Negro Saturday, less than 15 hours after another Negro was killed by a hit-and-run driver who left no

Cremation urn on scrap heap poses problem

ANNISTON, Ala., March 13— Coroner Joe Frank Gulledge says a man in Chicago has made a claim on a brass urn believed to be a cremation urn found on a scrap heap here recently.

Workmen breaking up scrap at an Anniston foundry noticed that ashes fell from the urn. Inside they found a cremation certificate for Robert David Boniel, 51.

Gulledge said Michael Bartell telephoned him from Chicago Friday and identified himself as Boniel's stepson. The coroner said Bartell told him Boniel died and was cremated in 1945. He said he thought the urn was in California.

An investigation had revealed that Boniel died and was cremated in Miami in 1945, that his remains were sent to Evanston, Ind., and later to Frank Ferren in Hollywood, Calif. Ferren has not been located.

Gulledge said Bartell asked that the urn be sent to him when the investigation is finished.

How the urn reached the scrap heap here remained a mystery.

BURNED HOUSE, BODY

16-Year-Old Charged In Selma Negro's Death

SELMA — A 16-year-old Negro boy was charged with first-degree murder Tuesday after he confessed hitting an elderly Negro man on the head with an axe, robbing him of $40, then setting fire to the house with the man in it, Dallas County Coroner Bailey K. Green said.

The case, which apparently had been an accidental death by fire, was reopened when the Negro boy's white employer noticed him "flashing a little too much money" and brought him to Sheriff Jim Clark's office for questioning, Green said.

Green said Charlie Ransom admitted killing Jim Rand, 80. Both lived in the Safford community some 27 miles south of Selma.

The coroner said the fire occurred last Thursday. "Chief Deputy Bob Moore called me at about 5 p.m. Thursday and said he was en route to Safford, that a house had burned down and he felt sure the old darkie had burned to death," Green said.

"I met Moore and the house had burned completely. We found the 'hulk' of the body left, from the waist on up. His skull was still intact, although there was no flesh on it.

FOUND BODY

"We consulted with the Department of Toxicology after we found some cracks in back of the skull that looked suspicious, but we were told it may have happened from the heat.

"Monday some of the residents noticed a boy flashing a little too much money. A white man he worked for, Charles King, brought him in Monday night. We questioned him and he told us one or two little tales that didn't jibe at all, so we questioned him some more and he confessed it.

"We took him to the scene today and he reenacted the whole thing. We found the axe head he used."

Selma Man Free On Bond Jailed For Flood Looting

SELMA (AP) — William Walton Headley, 30, free on bond on a charge of first-degree murder, has been arrested in connection with looting in a flooded area, Sheriff Jim Clark reported.

Headley had been free under $5,000 bond in the slaying of Mrs. Ruby Gardner Crimm, last Aug. 20. His trial was scheduled this week, but delayed because flooding had made it impossible for sheriff's deputies to serve subpoenas for witnesses.

Clark said Headley had been released under $500 bond in connection with larceny charges. The sheriff said he and two other men were arrested with a load of hogs and chickens.

FLOOD AREA LOOTING

Also charged with larceny were Julius Mitchell, 21, and Verlon Thacker, 17, Clark said.

The sheriff said a number of instances of looting in the flooded area were being investigated.

At a Negro cemetery, where concrete vaults were washed out of the ground, an effort had been made to chip open a vault.

The sheriff said some cattle had been butchered and then hauled away.

National Guardsmen still are patrolling an area about 1½ miles by approximately a mile where some 2,000 persons were evacuated by the flooding Alabama River. Although the river has receded considerably, much of the area remains under water. Evacuees, mostly Negroes, are being housed in Red Cross shelters.

Crime prevention—

FBI man warns educators of need to be ever vigilant

BY TOM LANKFORD
News satff writer

Birmingham's FBI Bureau chief Thursday night told Alabama education officials that schools are a prime attraction to persons who commit crimes concerning children.

"You must realize the serious responsibility placed on your shoulders in taking care of the youngsters that are under your care for such long hours," said Thomas J. Jenkins.



THOMAS J. JENKINS
. . . Talks to AEA

He told the school office personnel division of AEA that crime increased 12 per cent in 1960.

Jenkins emphasized three classifications that school officials should be particularly watchful of in protection of school children.

They are: Pornographic literature, child molesters, and turning children over to strange persons.

"The amount of obscene literature being distributed to school children today is frightening," Jenkins said. "In 1957, $500,000 of this material was purchased by youngsters."

SEX CRIMES among youngsters would decline drastically if the sale of this material could be stopped, he said.

The FBI agent warned the 100 school superintendents, supervisors, principals and office personnel at the meeting to keep a close eye on suspicious characters hanging around school grounds.

Jenkins also urged the AEA members to be especially careful in not turning school children over to persons they don't know.

There is the danger that the child may be kidnaped, he said.

The agent urged the school authorities to get in touch with the police or FBI immediately if any type of criminal activity is suspected.

Jenkins spoke to the AEA group during a banquet at the First Presbyterian Church. Miss Mary Carroll, Houston County Board of Education, presided. She is president of the division of school office personnel.

13c 1961

ALABAMA

Confessed slayer of kin—

Boy, 14, ordered to trial as adult

Grand Jury must decide actual charge

BY CYRIL WARD
News correspondent

ASHLAND, Ala., Jan. 13—Raymond Brown, 14, confessed knife-slayer of three women relatives, will stand trial in Circuit Court, "just as if he were adult," Probate Judge O. W. Pruet announced here yesterday.

The decision was reached at a short, closed meeting in Pruet's office.

Attending were Circuit Solicitor Frank Head: Pruet; Sheriff Paul Levie; Brown; his parents, Mr. and Mrs. Marvin Brown; the Rev. C. L. Armstrong, pastor of Ashland Methodist Church; Mrs. Mildred Clark, director, Clay County Pensions and Security Board, and Mrs. Sara Runyan, also of the board.

Brown's case will now be discussed by the Clay County Grand Jury, which convenes Feb. 6.

If the boy is indicted for first-degree murder, he would be on trial for his life.

BROWN, WHO UNDERWENT psychiatric tests at Bryce State Hospital for about three months, was recently pronounced sane:

Head quoted Dr. J. S. Tarwater, superintendent of the hospital, as saying "he found nothing wrong with him and in his judgment he is mentally competent."

The boy was returned from Tuscaloosa to the Clay County Jail here, and the case placed in the hands of Pruet, who is also Juvenile Court judge.

"It was the hardest decision I ever had to make," the judge said after the meeting.

THE TRIPLE MURDERS rocked Clay County.

This was the scene, as discovered the sunny Sunday morning of Oct. 2, by Mr. and Mrs. Marvin Brown, Raymond's parents:

Mrs. Everlina Ogle, 82, was on her bed in the front bedroom of the frame farmhouse in which she lived. The invalid woman had been stabbed 18 times.

On the floor in the same room lay Mrs. Berta Mae Ogle Martin, 31, who officers said was stabbed 123 times.

IN A SECOND BEDROOM was sprawled Mrs. Nancy Ethel Ogle, 63. Officers reported she also had been stabbed 18 times, and her chest and stomach were ripped open.

Brown was arrested the following Friday afternoon as he left football practice at Clay County High.

Youth Is Found Guilty Of Deaths

Life Term Recommended By Jury For 15-Year-Old In Triple Slaying

By United Press International

ASHLAND, Ala., Feb. 16.—A Clay County Circuit Court Jury Thursday night found 15-year-old Raymond Eugene Brown guilty of stabbing his aunt, grandmother and great-grandmother to death and recommended life imprisonment in all three cases.

The crew-cut ninth-grader was emotionless as Circuit Judge Arthur L. Hardegree read the guilty verdict in all first degree murder cases. The jury deliberated two hours and 11 minutes.

Boy's Parents Sob

The boy's parents, Marvin and Emma Lou Brown, broke into convulsive sobs which could be heard throughout the packed courtroom.

There were other muffled sobs among the spectators, standing four deep against the wall and in the balcony.

Young Brown's only statement was "Please stop that" to the photographers who were popping flashbulbs as soon as the judge adjourned the trial.

There was no indication of an appeal. The family did not have the funds to hire an attorney, and an appeal would cost at least $500.

Terms Are Concurrent

Hardegree delayed sentencing of Brown who will be one of the youngest sentenced to life imprisonment at Kilby Penitentiary.

Brown could be paroled in 10 years, the minimum number of years a prisoner can serve on a life sentence, and the youth will serve the life sentences concurrently.

Defense attorneys Pete Mathews and C. W. McKay both broke into sobs in delivering their final arguments to the jury.

The crew-cut defendant is accused of stabbing his aunt, Berta Mae Martin, 31, his grandmother, Ethel Ogle, 62, and his great - grandmother, Everlena Ogle, 83, 179 times shortly after midnight last Oct. 2.

The ninth-grade pupil pleaded innocent by reason of insanity when the trial opened at 9 a.m. Wednesday.

Lawyer Claims Knowledge Of Saraland Mayor's Killer

MOBILE (AP)—A defense attorney at the federal trial of three law officers on liquor conspiracy charges said Wednesday that "we know who murdered Mayor Driver of Saraland."

However, Thomas M. Haas did not give any name.

The defense has contended, over prosecution objections, that the accused officers engaged in the liquor conspiracy in an effort to solve the murder of Oscar L. Driver in suburban Saraland in August 1958.

Haas made the statement about Driver, while the jury was out of the courtroom, in explaining why he wanted to follow a line of questioning regarding the unsolved ambush slaying.

He said one of the defendants, Davis C. Johnson, Fairhope police chief now on leave of absence, had been requested to assist in the murder investigation in 1959 by Driver's successor.

He claimed the investigation pointed to liquor and narcotics with connections in Saraland and Baldwin County. The attorney said at this point that he knew who killed Driver, and added that the defendants knew who was behind the whisky traffic in Saraland.

Another defendant, suspended Highway Patrolman Thomas C. Hooper of Fairhope, told of his association with Johnson and said he was assigned in the Saraland area after the Driver murder.

Hooper admitted being in the whisky business with Johnson and another defendant, former Fairhope auxiliary patrolman Thomas C. Myrick. He testified he invested $30 in the operation and never received any money from the business. He said it was his intention to turn over any evidence collected in the investigation to his superiors and to the U.S. district attorney.

Hooper testified that Johnson told him of a meeting with N. W. Patrick, former Saraland police chief, and quoted Johnson as saying Patrick told him he could take all the whisky they could furnish.

He also said Patrick told Johnson that after the election he could put them in contact with other sources in the whisky business. Patrick then was a candidate for the Prichard City Council, but was defeated.

Asked if names of any sources were mentioned, Hooper replied that Johnson told him Sam Deas and Jenkins Hill were named. Deas is a Mobile County man and Hill is former sheriff of Clarke County.

Hooper said that during the conversation Johnson had a tape recorder hidden in his pocket. He said Patrick told Johnson not to fool with moonshine whisky because he could "get us into business and show us how to make some real money."

"He said he had a helicopter and we could use his car. We were to get bonded whisky in Louisiana. He said he could get state stamps for us to put on the bottles. The whisky was to be sold in Mississippi."

Hooper claimed that Johnson told him Patrick said he could handle several hundred gallons of bonded whisky a week.

The judge asked the witness why Johnson went to see Patrick after the defendants were arrested in the whisky case.

WEAK LINK

"Patrick was the weak link in the murder case," the witness said. "We wanted to get facts to prove he was still in the whisky business."

Hooper said he talked with Ed Strickland of the state attorney general's office about two weeks ago and turned over to him the tape recordings and other evidence.

15-Year-Old Boy Will Face Court

Trial Set Wednesday For For Youth On Three Murder Counts

By The Associated Press

ASHLAND, Ala., Feb. 12.—Raymond Eugene Brown, 15-year-old former high school football player, will face trial Wednesday on three charges of first-degree murder.

The husky youth is accused of stabbing three women relatives to death. Authorities said the boy told them he attacked the women with a kitchen knife when one of them caught him searching a dresser drawer for money.

Circuit Solicitor Frank Head said Saturday, "I frankly told them (the defense attorneys) if they wanted to plead guilty, I would recommend life imprisonment in all three cases.

"But they said they couldn't do that. I don't know what they meant."

To Consider Age

Mr. Head had said earlier that he would take the boy's age into consideration in prosecuting the case, but declined to elaborate.

Immediately after the boy's indictment, Mr. Head said, "I can't say whether I will ask the death penalty. I think I'll just prosecute and let the jury decide."

Mr. Head said that if a motion were made to consolidate the three charges, he probably would agree to it. He said he had heard of no such move, however.

Pete Mathews, one of two defense attorneys, said Saturday he had "no comment to make." C. W. McKay is th other lawyer defending Brown.

As he was indicted last Wednesday, the boy sat quietly at a table in the courtroom, his fists clenched. Flanked by his attorneys, he pleaded innocent and innocent by reason of insanity as each indictment was read.

If convicted and given the death penalty, he would be teh youngest person executed by the State of Alabama in the 34 years it has used an electric chair—and perhaps the youngest ever.

The youth was arrested last Octoober, six days after his mother discovered the slashed and stabbed bodies of his aunt, Mrs. John D. Martin, 31; his grandmother, Mrs. Ethel Ogle, 52, and his great-grandmother, Mrs. Everlena Ogle, 82.

Two of the women lived in the rural frame house about 100 yards from the Brown house near this East Alabama farming community.

Brown was arrested at Clay County High School while taking a shower after football practice. He was sent to Bryce Hospital at Tuscaloosa, Ala., for examination. State psychiatrists declared him sane.

Probate Judge G. W. Pruet judged Brown an incorrigible and driected that he be charged as an adult rather than charged with juvenile delinquency.

The youth, who was 14 at the time of the slayings, is being held in Clay County Jail.

Chambers Killing Reward Offered

John Patterson has offered a $1,000 reward for solution of the double slaying of Jefferson and Nella Jean Chambers near Fairfax in December, 1959.

Patterson issued the reward at the request of Tom Young, solicitor of the 5th Judicial Circuit.

At the request of Floyd Mann, Public Safety Director, E. R. Lehman, vice president of the West Point Manufacturing Co., offered a second $1,000 reward.

Chambers, a member of a pioneer family which settled Chambers County in East Alabama, and his spinster daughter, Nella, who taught Sunday school were beaten and choked to death Dec. 12, 1959.

Several suspects were arrested and questioned but turned loose. One Negro suspect was later found dead in a ditch near Lafayette.

Jury Returns No Indictment In Ambush Killing Of Mayor

MOBILE (AP) —A Mobile County Grand Jury Friday returned no indictments in the 1958 ambush slaying of the mayor of suburban Saraland.

The jury's report said it questioned 20 or so witnesses this week and found "no new hearsay testimony or legal evidence considered to have a direct bearing to this case."

The report said pertinent testimony from the witnesses was on phases of the case which already had been disclosed to the jury by Sheriff Ray D. Bridges, Circuit Solicitor Carl M. Booth or Deputy Solicitor James T. Strickland.

The jury commended Bridges for his apparent thorough investigation of this case to date and for his refusal to make any arrest in this case .. because of lack of conclusive legal evidence which would support such action."

The new investigation into the slaying of Mayor Oscar L. Driver of Saraland was ordered after a defense attorney said during a recent federal liquor conspiracy trial, "we know who killed Mayor Driver."

The attorney, Thomas M. Haas, added that he did not have legal proof.

Haas made the statement in contending that three former law officers being tried on the conspiracy case actually were trying to solve the Driver case when they engaged in the moonshine liquor business.

The attorney said they had found a link between the murder and illegal liquor and drug activity in the Saraland area and were trying to obtain evidence along that line.

The federal jury was unable to agree on a verdict in the conspiracy case and a mistrial was declared. The case is reset for trial in May. The officers were former Fairhope Police Chief Davis C. Johnson, suspended state highway patrolman Thomas C. Hooper and former Fairhope auxiliary patrolman T. C. Myrick.

The 60-year-old Driver, Saraland's first mayor, was shot to death as he stepped from his car in the yard of his home eight miles north of Mobile the night of Aug. 6, 1958.

Second trial for Wilbanks to be studied

WETUMPKA, Ala., May 6—John Wilbanks, convicted of manslaughter in the death of 9-year-old Barbara King, will get a hearing Thursday on a motion for a new trial.

The hearing will begin at 2 p.m. here before Circuit Judge Oakley Melton, according to Atty. George P. Howard.

Wilbanks, free under $12,500 appearance bond, is now living in Montgomery.

He was found guilty Nov. 21 in the high-powered rifle death of the Homewood girl at Lake Martin last July 3. He received a 10-year sentence.

OFFICERS TRACED a bullet thought to have shattered the girl's skull to Wilbanks' rifle, but he denied having fired the weapon that day.

The shooting occurred on Castaway Islands where Wilbanks, a boat designer, and his wife made their home. The King and Wilbanks cabins were about 200 yards apart across a slue.

Howard said if a new trial is refused, the original appeal will then go to the Court of Appeals in Montgomery.

Negro Indicted For Murdering Past Fiancee Woman In 1944

HUNTSVILLE, May 5 (AP)—The Madison County Grand Jury has indicted Isham David Hobbs Jr. on a first degree murder count in the 1944 knife slaying of Mrs. Margaret Thornton Fleming.

Hobbs, a deserter from the U. S. Army Air Corps in 1943, is being held at Eglin Air Force Base, Fla. He was arrested in Bartow, Fla., last November after an attempted suicide, authorities said.

A native of Madison County, Hobbs lived in a cave several months after the socially prominent woman had been stabbed at her house near Huntsville.

Hobbs said in a statement that he slipped into the house to steal a shotgun, but saw another woman lying in bed and decided to take her to his cave. Mrs. Flemming was in another room.

Circuit Sol. Macon Weaver said Hobbs related in a signed statement that he stabbed Mrs. Flemming after a scuffle.

Hobbs is expected to be returned to Huntsville within a few days. His trial is expected to be either in June or September.

Slain Man's Body Found After Blaze

By ELIZABETH COLEMAN
Advertiser Correspondent

SELMA — The body of a young Negro man who left a Selma candy company at 1 p.m. Thursday with $953 to deposit in a bank was found gagged and burned in a vacant tenant house on a farm Thursday afternoon.

The victim was identified as Hudson Richardson by his employer, G. A. Gibson, owner of Gibson Candy Co.

Authorities suspect murder and arson.

Dallas County Sheriff Jim Clark said Richardson, a trusted employe, left in a comany truck to deposit checks and cash in a Selma bank. Gibson became worried when he failed to return. Richardson never reached the bank.

At about 2 p.m. Thursday the sheriff's department received a telephone call from Valley Creek Church near Summerfield that a house was burning. The caller reported seeing a Negro man run from the house, get in a truck and leave.

The sheriff went to the scene and found the body of a man. He was gagged. Both arms and legs were burned off and the base of the skull was missing.

The body was taken to a funeral home here. Sensing a relation between the death and the missing money, authorities asked Gibson to view the body. He identified it as that of Richardson.

At 4:30 p.m. the Dallas County sheriff's office issued an alert describing the Negro seen leaving the house.

DRIVING TRUCK

He was described as about six feet tall, fairly heavy set with light complexion, very bushy hair and long sideburns.

He was wearing a khaki shirt with an Army patch on the left shoulder. The Negro as driving a late model General Motors Corp. pickup truck with a cream body and possibly cream-colored top. He is wanted on suspicion of murder and arson, the report said.

A state toxicologist was called in to determine whether the fire caused the injuries.

Burned Man Shot Twice, Says Coroner

SELMA (AP) — A Negro man whose body was found in the smoking ruins of a vacant house near here Thrusday had been shot to death, Coroner David K. Green said.

The coroner said Hudson Richardson, 22 had been shot twice and was dead when taken to the vacant house on a nearby farm.

Sheriff Jim Clark said Richardson, an employe of a wholesale candy firm, disappeared while on the way to a bank with about $1,000 to be deposited.

The money, mostly in checks, is missing, the sheriff said.

Sheriff's officers held an unidentified Negro man for questioning in connection with the incident but no charges were filed.

Clark said workers on the farm reported seeing a man jump from a window and speed off in a pickup truck shortly before the fire broke out.

The truck is believed to be that in which Richardson disappeared.

Negro held— Woman's instinct uncovers slaying

BY BOONE AIKENS
News correspondent

SELMA, Ala., May 5—An unidentified Negro man is being held for questioning in the murder of Hudson Rivhardson, 22-year-old Dallas Negro, Chief Deputy Sheriff Bob Moore said here today.

A woman's intuition uncovered the murder minutes after it was committed yesterday.

Mrs. J. B. Wells asked the sheriff's office to investigate a fire at what had been a vacant house about a half mile from her home.

Dallas Sheriff Jim Clark said that when deputies investigated the still smouldering ruins they found a partially burned body which was later identified as that of Richardson.

A SHORT TIME before, Richardson had been reported missing by his employer, Gibson Candy Co. City police and the sheriff's office had been notified of his disappearance at 3:15 p.m. when he failed to return from a bank.

Richardson, a trusted employe who daily made a bank deposit for the company at noon, had left work to make a deposit of $953.

That's her ring'—

Identity verified; slayer hunt starts

BY JAMES SPOTSWOOD, News staff writer

TUSCALOOSA, Ala., Jan. 5—"That's her ring."

With words heartbroken Lawrence Greer last night completed identification of a gruesomely burned body found near here as that of his errant wife.

And with them he posed a challenge to law enforcement authorities of Alabama and South Carolina: Find the person responsible for her shocking death.

The body was positively identified as that of Luree Whitley Greer, 35, Great Falls, S. C., mother who disappeared from her home Dec. 2.



News staff photo—Ed Jones

LUREE GREER

. . . Burned to death

While South Carolina relatives carried out the sad task here, officers of the East Coast state continued questioning her last known companion, 27-year-old Kenneth Jessee.

Jessee admitted leaving Great Falls with Mrs. Greer, officers said, but denied knowledge of what happened to her after he said he left her somewhere near Atlanta.

When Jessee reappeared in Great Falls the night of Dec. 5, he was arrested on a warrant sworn out by the missing woman's husband which charged him with adultery.

He was freed on $1000 bond, only to be picked up for questioning in the woman's disappearance Tuesday, according to S. C. Police Lt. B. Seaborn Moss.

Jessee told authorities he decided to return home but that Mrs. Greer refused to do so.

First steps of Tuscaloosa County authorities were to obtain pictures of Mrs. Greer for circulation among motels along the route from Great Falls to Tuscaloosa.

Sheriff Nathan Chism said Alabama Public Safety Department Lt. R. C. Brooks and Tuscaloosa Deputy Sheriff Warren Miller will join Carolina officers in questioning Jessee.

MRS. GREER'S BODY, almost destroyed by fierce flames, was found in a pine thicket near the Ralph community just a week ago.

Vital clues to her identity had escaped the fire: A ring on her left hand; pocket lighter; odd-shaped six-inch tool; fragments of clothing; medicine bottle label; trade stamps.

They eventually led to Great Falls, where two heart-sick families had been jolted by the early December disappearances.

Final identification was made by a South Carolina group of six which arrived at the Tuscaloosa County Courthouse at 7 p.m. after a 12-hour drive.

They were Greer; Donnie Whitley, brother of the dead woman; George Greer, brother of her husband; Chester County Sheriff A. W. McKeown; Great Falls Police Chief H. C. Neely, and Lt. Moss.

Greer and his companions were spared the task of examining pictures of the death scene or of viewing the body.

INSTEAD THEY IDENTIFIED the ring Mrs. Greer was wearing on her left hand, a gift from her father, and the tool, which proved to be a reed cutter used in textile operations. They also confirmed other details developed by state probers.

Then Tuscaloosa County Coroner Rufus Strickland announced: "Beyond a reasonable doubt this is the woman we are concerned with. Everything we have exactly fits the descriptions. The family is satisfied these are her articles and her body."

Circuit Solicitor Fred Niosl declined comment on possible charges against anyone "while the investigation is still under way."

Jessee told questioning officers he and Mrs. Greer became friendly after she went to work at the cotton mill where he was employed about a year ago. He asserted that she urged him to run away.

Before leaving home, Mrs. Greer left two letters, including one note begging her small son and daughter to be good.

Other members of her family said she took about $500, but only a small sum was found in her charred purse last week.

Jessee was quoted as saying she spent part of the money on repairs to his automobile after it struck a pole near Atlanta.

THE TWO FAMILIES lived on neighboring streets in a residential section of Great Falls. The homes once were owned by the textile firm, which is the major industry of the city of 6000, but had been sold to individuals.

Jessee was described as a hard worker who held both his mill job and a parttime position in an automobile body shop.

Moss said Jessee was cool and reticent under questioning. In refusing to submit to the lie detector examination, he was quoted as saying: "I don't believe in that kind of stuff."

Woman's Burned Body Has Finally Been Identified

TUSCALOOSA, Ala. (AP) — **The burned body of a woman found in a remote west Alabama area last week has been identified tentatively as that of a South Carolina woman and a textile worker is being questioned.**

Circuit Solicitor (prosecutor) Fred Nicol said the charred remains are believed to be those of Luree Whitley Greer, 35, Great Falls, S. C., who also had worked in a textile mill.

At Great Falls, Kenneth Jessie, 26, was picked up Tuesday for questioning. No charges were filed.

Chester County Sheriff A. W. McKeown said Mrs. Greer, married and the mother of two children, left Great Falls with Jessie Dec. 2.

McKeown said Jessie also is married and has children. He said Jessie and Mrs. Greer worked at the same textile mill.

Jessie returned to Great Falls three days after leaving with Mrs. Greer, but said she had left him en route to Atlanta and that he had not seen her since.

The sheriff said he plans to go to Tuscaloosa today with the woman's husband and brother to see if the body can be positively identified as that of Mrs. Greer.

Nicol said the tentative identification was traced through trading stamps which bore code numbers and a portion of a drug label found in the woman's purse.

The stamps and drug label have been prime clues in the search for the woman's identity.

Nicol said the drug label apparently came from the area around Lancaster, S. C., but other information about the label was unavailable.

The code numbers on the trading stamps also were traced to the central South Carolina area around Lancaster.

The body, mostly skeleton, was found by deer hunters in a remote area of Tuscaloosa County last Thursday.

Burned Body Positively Identified

TUSCALOOSA, Ala. (AP) — **A burned body found by deer hunters in a remote west Alabama area last Thursday has been identified as that of a 35-year-old mother of two from Great Falls, S.C.**

Authorities said the body is beyond doubt that of Mrs. Luree Greer. Identification was made after the woman's husband and her brother visited Tuscaloosa Wednesday. They were accompanied by Sheriff A. W. McKeown.

McKeown said the woman left Great Falls with Kenneth Jessie, a 26-year-old husband and father, Dec. 2. Jessie is being held in South Carolina, but no charges have been filed.

Tuscaloosa County Coroner Rufus Strickland said "As far as I am concerned, beyond all doubt this is the woman we are concerned about."

Negro killed after remark to matron

HUNTSVILLE, Ala., May 10—A Negro man who reportedly said "Hello, baby," to a white woman was shot and killed by the woman's husband yesterday, detectives here said.

No charges had been filed early today.

Officers said Bob Cutrell, 38, fought with and then shot Richard Lee Barnes, 26, in Cutrell's furniture store here.

They quoted Cutrell as saying the Negro advanced on him after Cutrell told him to leave the store. In a statement, Cutrell said he fought off the Negro with a club before shooting him.

Cutrell's statement said his wife had brought his afternoon meal into the store when Barnes made obscene and other improper remarks to her.



News staff photo—Tom Self

JESSEE IN TUSCALOSA TO FACE CHARGES
. . . Signed lengthy statement, solicitor said

Visit burning scene—

He shot woman, man tells officers

BY JAMES SPOTSWOOD
News staff writer

TUSCALOOSA, Ala., Jan. 9—A wavy-haired young mill worker said he shot his runaway sweetheart at the end of a 450-mile flight from their South Carolina families, officers revealed last night.

Kenneth Jessee was brought to Tuscaloosa late yesterday to face charges that he murdered Mrs. Luree Whitley Greer, 35, in Tuscaloosa County on or about last Dec. 4.

Circuit Sol. Fred Nicol, without disclosing details, announced to newsmen the 27-year-old textile worker had admitted slaying his slim, brown-haired neighbor.

With a half-smile flitting across his thin face, Jessee sat at a table while photographers made pictures of him with the team of Alabama and South Carolina officers who broke the baffling case in just 10 days.

IN GREAT FALLS, S. C., Police Chief H. C. Neely said Jessee told investigators he shot Mrs. Greer with a .22-caliber pistol which he threw into a pond after returning alone to Great Falls Dec. 5.

Officers said he asserted that after they quarreled, Mrs. Greer took the pistol from the glove compartment of their car to shoot him. He said he shot her once in the struggle over the weapon.

Subject of the quarrel was not disclosed.

The solicitor said first-degree murder charges filed against the young mill hand will be presented to the regular session of the Tuscaloosa County Grand Jury next Monday.

Today, officers were to take Jessee to the pine thicket near Ralph in which the woman's burned and torn body was found by deer hunters Dec. 29.

APPARENTLY Mrs. Greer met a dreadful death in flames that almost destroyed her body after she was dragged into the thicket. Laboratory tests showed a fatal amount of carbon monoxide in her blood, indicating that she inhaled smoke or fire before she died.

Investigators earlier said an inflammable liquid apparently had been poured on her body in an effort to destroy it.

But from bits of hair, flesh and clothing, authorities constructed a description of the woman that proved remarkably accurate when she was at last identfied.

Her home was traced to South Carolina through a medicine bottle label, and to Great Falls by trade stamps found in her charred purse.

Officers also guessed she was a textile worker when they identified a hooked tool found in the purse as a reed hook used in the textile industry.

JESSEE WAS picked up last Wednesday after the woman was identified. He was first questioned at South Carolina Law Enforcement Division Headquarters in Columbia.

He insisted that he left Mrs. Greer in the Atlanta area after he decided to return home and she refused to go back.

Next officers said the owner of an Oxford, Ala., motel told them Thursday a couple had registered as Mr. and Mrs. Jessee at his roadside court Dec. 3.

The motel owner further pinpointed Jessee in Alabama for the first time with a description and license number of the car he was driving, the investigators added.

H. L. GELLHAUS, operator of the Mu-No Court outside Oxford, said he recalled the South Carolina guests when he read newspaper accounts of the identification of Mrs. Greer.

Friday Jessee submitted to a lie detector examination by Lt. J. Faulk, veteran South Carolina polygrath expert. The same day he was charged with her murder by Sheriff Nathan Chism here.

Faulk said the accused man showed a "very pronounced" guilt reaction when asked if he knew who killed Mrs. Greer or where she died.

Saturday, with Jessee still maintaining his innocence, the officers left Columbia on a two-day trip to Tuscaloosa, during which they painstakingly checked his alibi.

THEY STOPPED overnight in Anniston and visited the motel in which Gellhaus had told Nicol and Chism the South Carolina couple spent the night.

Yesterday morning, Jessee reportedly sent word to the accompanying officers that he wanted to talk to them.

Members of Mrs. Greer's family said she took their Christmas savings of $488 and her weekly pay check of $50 with her when she left home.

Only a small sum was found in her purse, and when Jessee was arrested in Great Falls he had no money with him, according to Chester County deputies.

Jessee's car had a new fender and grill when he came home. He told officers Mrs. Greer had paid for repairs of damage caused by a minor wreck.

THE SOLICITOR said Jessee signed a typewritten statement of about 10 pages last night.

Nicol praised the teamwork of authorities of the two states, singling out for special commendation the contributions of Faulk. The Tuscaloosa solicitor and Faulk both are officials of a national organization of scientific interrogation experts.

Jessee was returned to Tuscaloosa by Lt. R. C. Brooks of the Alabama Public Safety Dept.; Tuscaloosa Deputy Sheriff Warren Miller; Lt. B. Seaborn Moss of the South Carolina Law Enforcement Division, and Chester County (S. C.) Sheriff A. W. McKeown.

It was the second trip to Tuscaloosa while working on the case for Moss and McKeown. They accompanied Mrs. Greer's relatives here to make positive identification last Wednesday night.

All four officers have worked virtually day and night on the case along with Nicol, Chism and other authorities of the two states.

High court taken to task in Negro case

BY BOONE AIKEN
News correspondent

SELMA, Ala., May 10—Saying he has more confidence in the juires of Dallas County than the Supreme Court of the United States, Circuit Solicitor Blanchard McLeod said the Lewis L. Anderson case will be retried in October.

Anderson, former Negro pastor of Tabernacle Baptist Church, was convicted of first-degree manslaughter in a Jan. 20, 1959, accident involving his automobile and a Negro pedestrian. Sentenced to 10 years in prison, he won a reversal in the Supreme Court May 1.

The high court contended that Negroes are systematically excluded from trial and grand juries in Dallas County.

McLeod said:

"The Dallas County jury heard testimony in the case for approximately two days. It is my understanding that a hearing was held by the Supreme Court for approximately one hour and it is my understanding that the main concern it had was how many Negro jurors served on the case and who struck them.

"IT APPEARS TO ME that the decision was rendered for a reversal on the grounds that I struck the Negro jurors. They overlooked the fact that the law gives me the right to strike anyone that I care to strike.

"I am allowed only one strike to two of the defendant, and I have never known before that the court could criticize me for striking the juror I wanted to strike and leaving people I considered honorable and people I knew could render a judgment based on the facts and not on any bias or hearsay.

"I have been serving in my present capacity for seven years and I cannot recall any session of court where we did not have Negroes on the venire.

"I plan to continue trying this case until I see justice done."

McLeod said that in his opinion the Supreme Court did not consider any evidence in the case.

According to court testimony, Anderson was driving at a high rate of speed on a Selma street when his car hit a car stopped at an intersection, continued in the left lane of traffic for 177 feet, and swerved and hit Tom Reese, 65, killing him.

Charged with second-degree murder, Anderson was convicted on the lesser charge of first-degree manslaughter.

Death Stalks County Jail At Andalusia

ANDALUSIA — A 42-year-old Andalusia printer was fatally stabbed Wednesday morning in the Covington County jail where he was serving a sentence for driving while intoxicated.

Sheriff Cliff Meredith said charges of first degree murder were placed against Dallas Clark, Andalusia, a 54-year-old farm laborer serving 60 days for two convictions of highway drunkenness.

Otis Jackson was stabbed in the head, back and side with a pair of scissors which were used by the prisoners to cut each others' hair. He died 15 minutes after being placed on the operating table at Covington Memorial Hospital.

Witnesses said the two men engaged in a fight in a common cell at the county jail a few minutes after visiting hours had been concluded. An argument erupted over alleged misconduct by Jackson while women were visiting at the jail.

Meredith said witnesses claimed Clark swung first at Jackson.

The scissors were kept in a box on a shelf in the cell and use by prisoners follows usual penal practices, the sheriff said.

Both men have been in jail before, according to Meredith.

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ALABAMA

Jessee denies Alabama entry—

Slain woman and suspect reported traced to Anniston

BY JAMES SPOTSWOOD
News staff writer

TUSCALOOSA, Ala., Jan. 7—A major break in the Greer murder case became known Saturday with information Mrs. Luree Greer and Kenneth Jessee had been identified as overnight guests at an Anniston area motel.

The report, from an investigator warking closely with the case, was the first which would place Jessee in Alabama despite his insistence he had stopped in the Atlanta area.

The information became known while officers were bringing the 27-year-old textile worker to Tuscaloosa to face first-degree murder charges in the death of his 35-year-old Great Falls, S. C., neighbor last December.

Charges that Jessee murdered Mrs. Greer in Tuscaloosa County were sworn out Friday by Sheriff Nathan Chism. Authorities in South Carolina said he waived extradition, and immediate preparations were made to leave Columbia, S. C., with him Saturday morning.

An investigator said an Anniston area motel operator described Jessee and Mrs. Greer as the guests who spent the night there early in December.

MUCH PAINSTAKING checking was ahead of the officers trying to wrap up the case before they present it to the Tuscaloosa County Grand Jury.

Saturday they planned to stop along the route named by Jessee, and then make further investigation along the path they believe he and Mrs. Greer might have followed into Alabama.

Jessee drove a 1951 gray and white Chevrolet with South Carolina License D-337138.

South Carolina Policeman Lt. B. Seaborn Moss and Tusealoosa Deputy Sheriff Warren Miller were expected to arrive in Tuscaloosa with Jessee Saturday after a drive of approximately 450 miles from South Carolina.

En route, the officers planned to stop at several places which Jessee had named in his story of his trip with the slain woman.

The murder warrant charges that Jessee murdered Mrc. Greer on or about Dec. 4.

HE RETURNED to Great Falls about 7:30 p.m., Dec. 5, according to members of Mrs. Greer's family who had been watching for the reappearance of the couple.

As soon as he did he was arrested on an adultery charge sworn out by Greer, according to South Carolina authorities.

He was released on $1000 bond, only to be picked up for qustioning when the body found in Tuscaloosa County was identified as that of the missing woman.

When Jessee came back to Great Falls his automobile apparently had been involved in a wreck. It had a new front fender and grill. He said it had struck a telephone pole.

JESSEE TOLD investigators he and Mrs. Greer reached the Atlanta area where he decided to return home. He said Mrs. Greer refused to go back with him and he left her at a "cafe or truck stop" somewhere in Georgia.

Investigators said Mrs. Greer left home with $488 from her family Christmas savings fund and her $80 weekly pay check from the mill.

MRS. GREER and Jessee were neighbors and both had worked at the same mill for about a year, for a time riding back and forth to work.



NEGRO CONFESSES AX, FIRE SLAYING
. . . L-R, Coroner Green, Ranson, Deputy Moore

Ax murder—

Negro boy admits slaying aged man

BY BOONE ARSEN
News correspondent

SELMA, Ala., March 15—A 16-year-old Negro boy, Charlie Ranson, has been charged with first-degree murder after confessing to the ax-murder and flaming death of Jim Rand, aged Negro who lived alone in Safford.

The murder occurred Thursday. The boy was arrested Monday when his employer, Charlie Caine, became suspicious of extra money he said Ranson was flashing.

According to authorities, the boy told Coroner Bailey K. Green and Chief Deputy Robert Moor he had been watching the aged man for some time. He told the officials he became interested because of a sum of money he had seen in Rand's wallet at a store.

Officers said he gave this account:

ON THE DAY OF THE CRIME he was in a nearby pasture at around 3:30 p.m. when he saw Rand get out of a car after a shopping trip to Selma.

Waiting a halfhour, he entered the house through the front door and saw Rand's back was turned. Picking up an ax, he hit the man across the back of his skull.

Also in his confession, Ranson said he searched the man, found his billfold and removed two $20 bills from it. He then set fire to a cotton mattress in the corner and fled. When neighbors were attracted by the fire he joined them.

The boy, who had only a fifth grade education, took law officers to the scene yesterday and reenacted the murder.

Sheriff Jim Clark said the boy would be given a preliminary hearing tomorrow.

Crime Is Higher In Birmingham

WASHINGTON (AP)— A change in classifications was blamed for the sharp increase in aggravated assault cases in Birmingham last year.

The FBI annual report on crime statistics listed 1,132 cases in Birmingham last year, compared with 440 in 1959. The report listed crime statistics for cities with more than 100,000 population.

Birmingham last year changed its classifications for aggravated assault to conform with those requested in the FBI's uniform crime report system. Under the change, aggravated assault includes any crime committed with a weapon, knife, pipe, log, etc.

Mobile had 240 cases of aggravated assault last year, compared with 197 in 1959. Montgomery had 44 compared with 84 in 1959.

Figures for Alabama cities under other crime categories, with 1960 figures first:

Murder, non - negligent manslaughter: Birmignham 43 and 56; Mobile 27 and 26; Montgomery 14 and 10.

Forcible rape: Birmingham 17 and 53; Mobile 18 and 7;. Montgomery 7 and 8.

Robbery: Birmingham 216 and 200; Mobile 99 and 90; Montgomery 4 and 47.

Burglaries: Birmingham 2,296 and 2,209; Mobile 2,097 and 1,830; Montgomery 1,550 and 847.

Larceny ($50 and over): Birmingham 1,655 and 1,384; Mobile 425 and 373; Montgomery 472 and 554.

Auto thefts: Birmingham 869 and 1,058; Mobile 511 and 442; Montgomery 258 and 219.

5 Boys Charged In Fatal Shooting

Five Negro teen-agers have been charged with murder in connection with the fatal shooting last Monday of a 26-year-old Powderly man.

Detectives C. B. Golden and B. A. Allison said Andrew Turner, 1872 Francis-av, sw was shot with a small caliber gun as he walked to a delicatessen in Powderly.

Shields Scruggs, 18, 519 Second-st, s, has been identified as the one who actually did the shooting.

The other four are listed as Eugene Williams, 167 206 Omega-st; Alfonso Fletcher, 17, 345 Iota-av; George Eatmon, 16, 337 Theta-av; and Jesse Gibson, 17, of 13 Center-pl, n.



News photo—Boone Aiken

P. 1 OFFICEERS COMB DEBRIS FOR CLUES IN WOMAN'S DEATH
. . Deputy Champion, left, and Deputy Fire Marshall Hall

Victim burned to death—

Negroes arrested in robbery, killing

BY BOONE AIKEN
News correspondent

PRATTVILLE, Ala., March 4—Two Negro men have been arrested in Autauga County in the robbery-murder of a 72-year-old Negro woman who kept her life savings on her person.

In custody are James Solomon Hauser, alias Sam Hauser, 50, and Buster Edwards, 45, both of Booth.

According to Chief Deputy Robert L. Turner, the men have been charged with arson and first-degree murder in the Jan. 30 death of Frances Harris, also of Booth.

STATE DEPUTY Fire Marshal Tom Hall said the men have confessed that Edwards hit the elderly woman on the head with a rock, took her money and then left her in the house which had been set on fire.

Houser is accused of setting up the plot and Edwards of carrying it out after another Negro had refused to rob the woman.

Although her nephew, Charlie Lewis, reported that he woman had more than $1140, Houser told officers he got only $284 as his half of the loot.

Edwards has been held in the county jail since Feb. 11, and Houser was arrested Thursday after an extensive search.

Assisting in the investigation were Turner, Hall and Deputies J. W. Hand and Norris Champion. Solicitor T. O. McDowell received the confession.

McPhearson to be tried in slaying again

BY DON BROWN
News staff writer

BUTLER, Ala., April 27—"The life of man is like a game . . ." a poet once wrote.

Thus, it may be said the ledger of John Lewis McPhearson yesterday recorded its biggest tie—placed beside a loss and a victory already in the book.

Twelve Choctaw County men couldn't decide his innocence or guilt on a charge of first degree murder, although they tried for 11 hours and 44 minutes.

THE JURY was called into Circuit Court here at 4:20 p.m. They were polled individually.

All told Judge William G. Lindsey they felt as if they were hopelessly deadlocked (they first got the case at 3:14 p.m. Tuesday).

"This jury is of the opinion we would never be able to reach a unanimous decision in this case," said Juror Henry Kinard.

A few minutes later Lindsey declared a mistrial.

The draw—after nine days of hard fighting—satisfied few of the front-line participants.

McPHEARSON, himself, faces still another trial—his third—on charges he shot to death his wife, Irma Lee, Jan. 29, 1959.

A verdict of life impgrisonment he had received at the first trial, in April 1959, had been reversed last December by the State Supreme Court, allowing him a second chance.

The indictment against him still stands, and he was returned to jail last evening.

Next term of Circuit Court is October, but Circuit Solicitor Wyman Gilmore said he would press for special term, just for this case.

"JUSTICE WILL never be served until that man is convicted," the solicitor said.

"We're terribly disappointed," Defense Attorneys Roderick Beddow and Joe Thompson said in a joint statement. "We'd hoped the jury could see its way clear to acquit the defendant."

The state and defense both thanked the jury for "what appears to have been an honest effort."

Probate Judge Richard McPhearson, who worked closely with his brother's counselors, was happy.: "We came very, very close to an acquittal," he said. He did not reveal his information.

UNOFFICIAL SOURCES told The News a majority of the jury voted to convict McPhearson of second degree murder and sentence him to 60 years.

The jury actually had six choices. Acquittal; not guilty by reason of insanity; or conviction of first degree murder, second degree murder, first degree manslaughter or second degree manslaughter.

The defendant's plea was "innocent and innocent by reason of insanity."

McPhearson did not take the stand; neither did several other key figures—his brother; his mother, Mrs. Rosa McPhearson; Mrs. Nancy McPhearson, his brother's wife; Mrs. Mary Robertson, a Blandon Springs widow; Robert Whaley, a young Mississippian working in the Silas-Butler area.

GILMORE, County Solicitor John Christopher and Special Prosecutor D. R. Coley Jr. of Mobile, sought to prove McPhearson deliberately killed his wife because of an infatuation with Mrs. Robertson.

The state also said he then buried her body in an abandoned well according to plan and took her car to Mobile so it would appear she vanished while on a rest trip there.

Main defense weapons were McPhearson's statement to Sheriff Connie Littlepage that the shooting was accidental, and Associate State Toxicologist Nelson E. Grubbs' testimony that the shooting—in his opinion—could have been an accident.

BEDDOW AND Thompson also said Mrs. Robertson was engaged at the time to Whaley. The state declared she and McPhearson were using Whaley as a front.

Who was right?

Everyone here has an opinion; many told how they felt.

And some townsmen said from the day the jury was struck, this one would be a mistrial.

Anderson Appeal Slated Before High Court This Week

NEW YORK — The U. S. Supreem Court is scheduled to hear arguments on Monday or Tuesday (April 24 or 25) in the case of Rev. J. Anderson of Selma, Ala., convicted on charges of manslaughter by an all - white jury.

The case is on appeal from the Alabama State Court of Appeals. It was taken to the high Court by NAACP Legal Defense and Educational Fund attorneys on the ground that Rev. Anderson was denied a fair trial because Negroes are systematically excluded from jury service.

Rev. Anderson's conviction resulted from an indictment for manslaughter by a Dallas County grand jury which charged him with having struck and killed another Negro on January 20, 1959, while driving his automobile in Selma. He pleaded not guilty but was convicted and sentenced to ten years imprisonment.

MOTION TO "QUASH"

His attorneys filed a motion to "quash" the indictment on the ground that Negroes were excluded from juries in Dallas County, Ala. The motion was backed by testimony showing that in the history of Dallas County no Negro has ever served on a petit jury and only one on a grand jury (1954). This exclusion is in spite of the fact that under the Alabama state law, qualified Negroes in Dallas County outnumber the qualified whites.

The State of Alabama advanced in defense of this exclusion that (1) approximately one in 12 persons in the venire is a Negro and (2) approximately 85 percent of the persons convicted of crimes in Dallas County are Negroes. The state's witness admitted that this percentage of Negroes convicted in the County included a large number of traffic violators as well as a high percentage of repeaters.

In taking the case to the U. S. Supreme Court, Legal Defense attorneys raised the question as to whether the practices of the Dallas County grand jury commission, in preparing jury rolls, "constitutes such arbitrary and systematic exclusion of Negroes as to have denied petitioner the equal protection of the laws secured by the Fourteenth Amendment to the United States Constitution."

Attorneys filing in behalf of Rev. Anderson are Peter Hall, Orzell Billingsley, Jr. and Fred Gray, all of Birmingham, Ala., and Thurgood Marshall, Jack Greenberg and Derrick Bell of the NAACP Legal Defense Fund in New York City.

Investigation widens—

Unusual tool found near dead woman

BY JAMES SPOTSWOOD
News staff writer

TUSCALOOSA, Ala., Jan. 2—Search for the store in which an apparently murdered woman obtained trading stamps found in her purse widened to Mobile today.

And officers increased efforts to identify an unusual-type tool found in her purse. It resembled an ice pick or screwdriver with an L-shaped hook on the end.

While the tool resembled a type used in working with textiles, Coroner Rufus Strickland said it appeared to have been used in some process requiring intense heat.

The metal at the end of the tool was bent in the shape of a screen door hook, and had turned blue as if it had been heated at high temperatures.

THESE WERE the latest developments in the efforts to identify the young white woman whose burned body was found in a pine thicket near Ralph, Ala., last Thursday.

Investigators revisited the scene yesterday in a review of all aspects of the case.

Meanwhile, a company official in New Orleans said a Winn-Dixie store in Mobile as well as three in Meridian, Miss., used S&H green stamps.

Green stamps and a piece of paper bearing the words "Winn-Dixie" were in the purse found with the body.

With the stamps, a dinner ring and a thumb print from the woman's left hand, the tool appeared to be the strongest aid in attempts to identify the victim.

"I feel it is just a matter of time until we get her identity," said Nicol.

THE WOMAN WAS described as 25 to 30 years old with delicate features and brown hair. She was five feet, four inches tall and weighed about 115 pounds.

Sears, Roebuck representatives who examined unburned fragments of clothing said she was wearing a cheaply priced blue dress with a red sweater bought at one of their stores. Her low black shoes were new, perhaps being worn for the first time.

Remains of a short coat, like a woman's car coat or the coat of a man, were found with the body.

STRICKLAND reported Saturday that toxicologists had found a "fatal amount" of carbon monoxide in blood samples from the woman's brain.

This could mean she breathed smoke as she died, or that she was dead when brought to the lonely lane near where the body was found.

Carbon monoxide is created when fire consumes the oxygen in the air.

It is found in the blood of persons who die in a tightly closed room when a heater is left burning, or who die in a parked car when the engine is left running.

Earlier, authorities said an inflammable liquid apparently was poured on the body to feed the flames.

Man slain at loan firm; cash taken

PHENIX CITY, Ala., Jan. 10—A finance company employe was strangled to death today in what appeared to be a robbery.

Jack Lamar Davis, 22, was found dead with a wire pulled tight around his neck. He was manager of Phenix Finance Co.

Police said an estimated $1000 was missing.

State investigators and the Columbus, Ga., detective division was called in to assist Phenix City officers.

Carolina Woman's Husband, Brother Make Identification

TUSCALOOSA — The badly burned body of a young woman found near here last week was identified Wednesday night as that of Mrs. Luree Whitley Greer, 35-year-old mother of two from Great Falls, S.C.

The husband and brother of Mrs. Greer made the identification after visiting the area where the body was found by hunters last Thursday, and identifying certain objects found at the scene.

Tuscaloosa County Coroner Rufus Strickland said, "As far as I am concerned, beyond all doubt this is the woman we are concerned about."

Strickland's statement was issued in conjunction with Circuit Solicitor Fred Nicol, who said "We are not prepared at this time to press any charges in the case."

The relatives arrived with Sheriff A. W. McKeown from Great Falls late Wednesday to attempt the identification of the body, consisting mainly of skeleton.

The victim was tracted to South Carolina Tuesday through trading stamps and a medicine label bearing a drug store name found in a purse nearby.

Authorities, using rainfall records, tentatively set the time of death as Dec. 5, more than three weeks before the body was discovered by deer hunters last Thursday.

Nicol said 26-year-old Kenneth Lee Jessee is still being held in Columbia, S.C., on an open charge in connection with the death. Jessee has refused to take a lie detector test, Nicol said.

Nicol said Jessee, a father, and Mrs. Greer, 35-year-old mother of two, left Great Falls on Dec. 2. However, Jessee said he left Mrs. Greer in Atlanta and returned home to his wife.

Rainfall records entered the growing list of clues when Earnest Acker, division forester at Tuscaloosa, said light rain apparently extinguished the fire that burned the body and scorched underbrush in the area.

He said the only rain in the area during the Dec. 1-9 period was the morning of Dec. 5 or Dec. 6, totaling .16 inch.

Earlier, medical examiners estimated the body had been dead two to three weeks when discovered. They said an autopsy also indicated she was not dead when doused with a flammable liquid and set ablaze in the lonely pine thicket.

Victim Left To Die In $1,000 Robbery

Phantom Killer Is Hunted In Phenix City Theft

PHENIX CITY, Ala., Jan. 10—(UPI)—An unidentified robber wrapped a wire around the assistant manager of a loan company here Tuesday and fled with $1,000 in cash, leaving the young employe to slowly choke to death.

Jack Davis, 22, died before reaching a hospital shortly after 10 a.m.

Police were baffled by the brazen robbery-slaying on 14th Street, the main thoroughfare in this East Alabama border town.

Officer William Kenneth Gibson said, "We have no clues to go on. No one saw the killer come or go."

A sister finance office in Columbus, Ga., just across the Chattahoochee River, made several telephone calls to Davis at the Phenix City Finance Co. Getting no answer, Baker Whatley drove to Phenix City where he found Davis bound with tape and choking from a piece of wire pulled tightly around his throat.

Law enforcement officers in East Alabama and West Georgia were alerted to be on the lookout for the phantom killer.

Finance Firm Manager Dies After He's Gagged, Robbed

PHENIX CITY (Special) — The manager of a Phenix City finance company strangled to death Tuesday morning after being left bound and gagged by robbers who took nearly $1,000 from the firm's safe.

Jack L. Davis, 22, of Columbus, Ga., was found in the office of the Phenix Loan Co., at 10 a.m. Tuesday, bound with cord, gagged with adhesive tape and a lamp cord around his neck.

He died en route to a Phenix City hospital of strangulation.

Baker Whatley, an employe of an affiliated loan company in Columbus, found Davis in a partitioned-off section in the rear of the office. He said he removed Davis' bonds and the lamp cord and administered mouth-to-mouth respiration.

Whatley said the victim's heart was beating when he found him.

A small safe located under a counter in the front of the office was emptied and standing open when Whatley arrived. There was no sign of forced entry, police said.

Whatley had come to the Phenix City office to find out why Davis had not answered several telephone calls made by the manager of the Columbus firm.

Police Chief Norris J. West called the robbery the "work of professionals."

The state criminal investigator joined city and county officers in a search for the slayer, and a state toxicologist assisted Coroner John Anthony in performing an autopsy on the body.

Davis, unmarried, had been manager of the Phenix City company for only four weeks.

Slayer Of Three Is Declared Sane

14-Year-Old Boy Transferred To County Jail

ASHLAND, Ala., Jan. 10—(UPI)—Circuit Solicitor Frank Head revealed Tuesday a 14-year-old boy who confessed stabbing three women relatives to death has been declared capable of standing trial by a sanity commission.

Mr. Head said the youth, Raymond Eugene Brown, has been transferred from Bryce Mental Hospital at Tuscaloosa to the Clay County jail.

"I have not seen the official report," Head said, "but I talked with Dr. J. S. Tarwater in Tuscaloosa Saturday and he said there was no evidence that the boy was insane."

Dr. Tarwater is the director of Alabama's three mental hospitals.

Head said Brown was in the custody of Probate Judge J. W. Pruet. The solicitor said it has not been determined whether Pruet would turn the boy over to juvenile authorities or have the gruesome case tried in circuit court. The decision is at the discretion of the probate judge.

Brown, a crew-cut footballer, confessed to the knife-crazed killings Oct. 7, four days after the three women were found in a blood-spattered frame house in a small community near here.

The boy's mother, Mrs. Emma Lou Brown, found the savagely slashed bodies of her sister, Mrs. Berta Mae Martin, 31, the boy's grandmother, Mrs. Ethel Ogle, 62, and his great-grandmother, Mrs. Everlena Ogle, 82.

Two women were found in their blood-stained bed in the front living room and Mrs. Martin was lying on her back in a pool of blood in the back bedroom.

Held by Juvenile Court—

Teen-ager held in slaying of three women ruled sane

ASHLAND, Ala., Jan. 10—A high school boy accused of killing three women relatives was found sane by state psychiatrists, Circuit Solicitor Frank Head said today.

Head said at Columbiana that Raymond Eugene Brown, 14, had been returned to custody of Clay County Probate Judge G. W. Pruet here at Ashland.

The solicitor is said Dr. J. S. Tarawater, superintendent of Bryce State Hospital at Tuscaloosa, had told him that the 14-year-old boy is mentally competent.

"He said he found nothing wrong with him (Brown) in his judgment he is mentally competent," the official said.

"He's in the hands of Juvenile Court.

Pruet also heads the Clay County Juvenile Court.

BROWN WAS PLACED in Bryce for mental examination after his arrest in the savage knife slayings of Mrs. John D. Martin, 31, his aunt; Mrs. Ethel Ogle, 62, his grandmother, and Mrs. Everlina Ogle, 82, his great-grandmother.

Brown lived about 100 yards from the home in which the women were found brutally murdered last October.

Authorities said he told them he was surprised while attempting to steal money with which he planned to buy football shoes. He was a junior tackle on the Clay County High School football team.

Pruet was not available for comment and Sheriff Paul Levie refused to make any statement.



RAYMOND E. BROWN
Declared sane

2 Shot Dead By Handyman

TALLASSEE (AP)—A 22-year-old Negro handyman on a shooting spree killed his girl friend and her mother Thursday after he had been stabbed in a fight with them and another man Wednesday night.

Sheriff Woodrow H. Barnes said Willie Lewis Heard was charged with murder in the slayings of Ruth Helen Bell, 20, and Irene Bell, 52, outside their home at the Carrville community near Tallassee.

Heard, knifed in the shoulder during a squabble with the two women and another man Wednesday night, was jailed at Dadeville after treatment of a gunshot wound inflicted by a white man seconds after the slayings.

Carrville Police Chief W. H. Pollard said Ralph Weldon shot Heard in the arm when the shotgun-wielding Negro tried to break into Weldon's cafe vowing to kill Joe Lewis, the other Negro in the fight Wednesday night.

Highway Patrolman J. C. Coan arrived shortly after the shooting and took Heard and the two women to a Tallassee hospital. The girl and her mother were dead on arrival.

Negro dies of injuries in gun battle

PHENIX CITY, Ala., April 5—A Negro man, shot in an exchange of fire with officers yesterday, died early this morning at Cobb Memorial Hospital here.

Bradley Sellers, 58, was taken to the hospital with a bullet wound just below his right eye.

Prentiss L. Griffith, Russell County chief deputy sheriff, said Sellers had been sought with bloodhounds since his common-law wife, Dovie Gillam, 48, was found dead of stab and .22 bullet wounds Monday night at her home near Crawford.

The search had continued for 18 hours when, according to the deputy, Sellers opened fore on officers trying to capture him about a mile south of Crawford.

Crawford is about 12 miles west of Phenix City.

Bulldozer Linked To Murder Case

State Witness Tells How He Aided Lumberman

BUTLER, Ala., April 18.—(UPI) — A Silas man testified here Tuesday he helped John Lewis McPhearson move a bulldozer to within two miles of the disused well where the wealthy lumberman is charged with having hidden the body of his murdered wife.

Dan Gordon, who said he occasionally worked with McPhearson, testified he and the accused went into a wooded area near Bladon Springs to get McPhearson's bulldozer the day after the state claims McPhearson shot and killed his wife, Irma Lee, 35.

Gordon said they loaded the bulldozer on a truck and carried it about 22 miles to a site within two miles south of where Mrs. McPhearson's body was discovered later.

McPhearson, now 38, is facing a possible death sentence for the second time on charges he killed his wife Jan. 29, 1959, dumped her body down a well, then bulldozed 12 feet of earth over it.

He has pleaded innocent and innocent by reason of insanity, claiming the shooting was accidental.

At the first trial he was found guilty and sentenced to life imprisonment. However, the verdict was reversed by the state Supreme Court on grounds of hearsay evidence and improper charges to the jury.

Son Cleared In Slaying Of Autaugan

By ARTHUR SHAW
Assistant State Editor

PRATTVILLE — A 22-year-old Marbury man charged with first degree murder in the death of his father was acquitted Wednesday night.

The jury deliberated an hour and 25 minutes before returning a not-guilty verdict at 7:40 p.m. John Paul Jones was charged with the pistol slaying of his father, Otto Russell Jones, 48, on Nov. 19, 1960.

The courtroom audience applauded when the jury announced its verdict.

The defendant maintained he shot his father with a .25-caliber pistol when his father approached him in a drunked condition.

14 WITNESSES

Circuit Solicitor Glenn Curlee and defense attorney Joe Barnett called 14 witnesses, including the defendant, a former sailor.

The defendant has been free on bond and has been living with his mother, a brother and two sisters at the house where the shooting occurred.

The trial started just before noon and lasted about six hours before the jury retired.

Throughout the trial, defense attorney Barnett produced several witnesses to testify to the elder Jones' condition when he was drinking. All said he was an orderly man when sober, but was belligerent when drinking.

Rape Trial Opening

PRATTVILLE—The rape trial of Hobert Ray Smith of Marbury is expected to begin Thursday morning. The trial was on Wednesday's docket, but failed to start when another case lasted until night. Smith is accused of assaulting a 13-year-old girl.

Phenix City's Padgett Fights $25,000 Suit

PHENIX CITY, Ala. (AP)—Cecil Padgett, star witness in the 1955 Albert Patterson murder trials, goes to Russell County Court here Monday to fight a $25,000 damage suit against him that stems from an incident in 1959 when he made a citizens' arrest at a school crossing.

The incident involved Padgett, his wife, and Mr. and Mrs. James Affleck.

Mrs. Padgett, who obtained police permission to watch out for children at a school crossing, had a reuning with a motorist, Mrs. Affleck. Affleck was a passenger in the car, and he questioned Mrs. Padgett's authority because she was not wearing a badge.

Padgett was nearby at the time, took offense at Affleck, and made a citizens' arrest, and lodged Affleck in jail on a disorderly conduct count.

The charge against Affleck was dismissed in court and then Affleck filed the damage suit against Padgett, charging Padgett with unlawful arrest and imprisonment.

The civil action is only one of several legal actions now outstanding against him.

An appeal case for a $103 fine for driving while intoxicated is also on the Russell County court docket for Monday.

And across the Chattahoochee River here, in Columbus, Ga., Padgett was recently indicted by the Muscogee County grand jury on a charge of larceny from the house in connection with property missing from an automobile repair shop.

There is also a charge of violating the Georgia compulsory school law outstanding against him in connection with his 15-year-old son not attending classes since the Padgett family moved to Columbus several months ago.

Florala Jury Rules Death For Negro

By ANN SMITH
Advertiser Correspondent

ANDALUSIA — A 24 - year - old Florala Negro, Ansley Knight, was convicted Tuesday of first degree murder and sentenced to be executived Nov. 15 in the ice-pick slaying of a Florala cab driver, Farris Russell, on July 3.

The jury deliberated for one hour before returning the guilty verdict.

The Negro pulpwood worker was arrested after a four-day manhunt in a swamp near Florala.

The search for Knight began after Russell's body was found late on the afternoon of July 3 on the Alabama Tung Mill road, about 10 miles from Florala.

28 STAB WOUNDS

Knight was seen riding in Russell's cab in Florala in mid-afternoon on the day of the slaying.

There were 28 stab wounds in Russell's body. Investigators said robbery was the motive for the slaying.

Russell, 42, was a shipyard worker in Mobile before he started driving a cab in Florala.

Wednesday's court docket includes the murder trial of Lennie Oree Helms, a 64-year-old farmer charged with shooting his 26-year-old wife, Mrs. Marion Martin Helms.

Helms is expected to plead self-defense.

Mrs. Helms' body was found Jan. 29 at the Helms home on the Florala-Samson highway with a .22 caliber bullet in her chest. Beside the body were an ax, knife and icepick.

DOOR FORCED

Markings on the bedroom door indicated the ax had been used in an effort to force the door open. There was a latch on the door.

Five of the helms children, all under 6 years of age, were in the bedroom, just off the hall in the house where officers found the woman's body.

At the time of the arrest, Helms declined to discuss details of the shooting but Deputy Olin Lawson reported he did admit that he and his wife had been bickering over a week prior to the shooting.

Negro Convicted In Cab Slaying

ANDALUSIA, Sept. 26 (AP)—A 24-year-old Negro pulpwood worker, Ansley Knight, was convicted today of first degree murder in the ice pick slaying o f a Florala taxicab driver.

The jury deliberated about 45 minutes.

Circuit Judge Murland Smith then imposed the death sentence, which is automatically appealed to the Alabama Supreme Court.

Knight pleaded innocent by reason of self defense in the fatal stabbing of Farris Russell, 42-year-old Florala cab driver and former resident of Mobile.

The Florala Negro testified Russell attempted to attack him with a knife when Knight tried to rob the driver in a secluded area near Florala last July 3.

Officers testified no knife was found on Russell or at the scene.

A signed statement in which Knight admitted the slaying was introduced in evidence.

Negro Admits Killing Given Life Sentence

PRATTVILLE — A 43-year-old Negro, Buster Edwards, was sentenced to life imprisonment here Wednesday after pleading guilty to a first-degree murder charge.

Edwards t o l d Judge James Oakley Melton he murdered and then robbed a 73-year-old Negro woman, Frances Harris, on the night of Jan. 30, 1961.

Another Negro, Sam Houser, will be arraigned Thursday. Edwards told the court he and Houser planned the robbery and that he, Edwards, split the money with Houser.

The court heard additional testimony in which Edwards admitted setting the woman's house near the Booth community, on fire to cover up his act.

ADMITS LEAVING

Edwards admitted leaving the state after the murder. He testified that he went to Cincinnati, Ohio and Chattanooga, Tenn. and returned here after he heard reports that investigators ruled the fire accidental. He said he was under the impression that the investigation had been closed.

Actually, evidence produced by Tom Hall, deputy state fire marshal, and the A u t a u g a County sheriff's office, indicated murder and arson.

Houser told officers he used the stolen money to pay some debts in Montgomery and Prattville the day after the fire and death of the woman.

Edwards made three attempts to escape from the Autauga County jail since being apprehended in February.

Claude Bates, 41, a Negro farm worker, is claiming self-defense in the death of Charles Thompson, 25.

According to Deputy Sheriff Champion and Wilbur Hand who invistigated the murder, Bates said three other Negroes last June "jumped on him at Burnsville and wanted him to h a u l whisky."

Bates said he refused and the other Negroes came to his home that night and shot at him with a .22-caliber rifle. Bates said he fired a shotgun at the left side of their car, wounding Thompson who died at a Selma hospital later that night.

Bates and Thompson are both from the Stateville community.

Husband questioned, released—

Huntsville wife is found slain

HUNTSVILLE, Ala., Oct. 18—(AP)—A young wife and mother, stabbed in the body and beaten about the head, was found dead in her house by her husband Tuesday.

Det. Capt. Vernon Lee Jr. said Mrs. Janice Clower Thomas, 27, had been stabbed 12 times in the neck, chest and back.

The knife was found protruding from her neck, Lee said.

Lee added that the woman had been struck on the back of the head and over the right eye with a blunt instrument.

A rolling pin, both handles broken, was found in the combination living-dining room with the body. One of the handles was in the room, the other in an adjacent den.

William B. Thomas, 29, told police he found his wife's body when he returned home from his job at Rerstone Arsenal.

LEE SAID the woman wore only a slip, a torn brassiere and a blouse.

Other articles of her clothing were found scattered on a bedroom floor as though she had re moved them, the officer added.

The couple's 2-year-old son, William Jr., was in a bedroom with the door closed. Their 10-week-old daughter, Mellisa, was in a crib.

Police questioned Thomas for several hours Tuesday night but did not hold him.

Asst. State Toxicologist William McVay examined the body but no report was available immediately.

Lee said the couple had moved into the neighborhood of medium-priced houses last Spring.

Thomas is employed in a propulsion laboratory at the Army Ballistic Missile Agency at the arsenal.

Two Men, Necks Roped, Found Dead

BUFFALO, N.Y., Aug. 12 (AP)—Two men, apparently strangled with a rope that was looped around their necks and feet, were found Saturday in a field about 15 miles east of here in suburban Lancaster.

An attendant at the Erie County morgue said both were white and appeared about 28 to 30 years old. The attendant said they looked enough alike to be brothers or twins.

They were not identified immediately.

One had a navy laundry mark on his clothing, the attendant said.

HE SAID BRUISES on the body of one of them indicated that they may have been bound by the feet and dragged for some distance through the fields, one on top of another.

The attendant said the men didn't appear to have been dead long.

A motorist discovered the bodies when he spotted a shoe in the road and stopped to investigate, police said.

Man Shot to Death for Saying 'Hey, Baby' to White Woman

HUNTSVILLE, Ala. (ANP)—The Emmett Till case of August 1955 which became an international incident, was recalled here last week when 25-year-old Richard Lee Barnes was shot to death for allegedly calling "hey, baby" to a white woman.

Till, 14, from Chicago, was lynched in Money, Miss., for wolf whistling at a white woman store clerk.

No charges were placed against Bob Cutrell, 29, in connection with the fatal wounding of Barnes.

Police, after the shooting, claimed Cutrell acted in self-defense.

Cutrell ,owner of a furniture store, said the incident occurred when his wife arrived at the store to deliver his lunch.

Barnes was standing outside talking to several Negro women, he said, and called to Mrs. Cutrell as she passed.

Cutrell said he stepped into the doorway and told Barnes not to speak his wife again and the Negro "called me every dirty name he could think of."

Alabama Cleric Exonerated In Death Accident

WASHINGTON.— (ANP)—The Rev. Lewis Lloyd Anderson of Selma, Ala., was exonerated by the Supreme Court, Monday, of the charge of manslaughter.

The Alabama minister had been convicted for fatally striking a pedestrian with his car, and was sentenced to 10 years in prison.

The case was appealed to the high court which unanimously reversed the manslaughter conviction on the grounds that no Negroes were serving on the jury which tried him.

It was learned that no Negro has served on a petit jury in Dallas County, Ala., in modern times and only one on a grand jury, even though 53 per cent of the males over 21 in that county are Negroes.

The Alabama attorneys argued that the officials had made no efforts to exclude Negroes from the jury. A few are called on each jury panel, they said, but they are usually excused by the trial judge.

In its one-sentence decision, the Supreme Court cited three cases that held that a defendant is denied his Constitutional rights if Negroes are "systematically excluded" from the jury.

Negro's Son Held In Killing

MONTGOMERY, June 20 (AP) — Judge Alex Marks of the Court of Common Pleas today freed a Negro man, but held the man's son for grand jury action, in the death of a white man.

Josh Belser, 47, and Levi Belser, 18, were charged with first-degree murder after Bernard Clayton of Snowdoun, a dairy superintendent, died of stab wounds suffered June 3 when he reportedly tried to stop a disturbance among the dairy's Negro employes at Snowdoun, about six miles south of here.

The younger Belser was bound over to the grand jury, with bond set at $5000. His father was released for lack of evidence. A third Negro arrested was turned over to juvenile authorities.

Missing Man In Concrete? Probe Begins

JASPER (AP) — Authorities are investigating the report that an elderly man missing more than seven years was encased in concrete at the bottom of a creek.

Circuit Solicitor Leon Beaird said the story was related by a woman convicted recently of killing her husband with a shotgun.

Beaird said Mrs. Travis Ted Kimbrell, about 43, related to Chief Deputy Sheriff Claude Reid that the body of William D. Hyde, 92, of Corona, was placed in the creek in Tuscaloosa County.

Hyde a former contractor with Alabama Power Co., was living with a son, Charlie, in the mining community of Corona when he disappeared in 1953.

DIVERS SEARCH

Beaird said Reid and skin divers had searched the area of Yellow Creek where the body was supposed to have been placed, but have found no evidence of any crime.

"We dont know whether its something she dreamed up or not, the solicitor said.

Mrs. Kimbrell claimed she shot her husband in self defense Jan. 15 when he reached for a fire poker.

The prosecution claimed she killed him after he threatened to divorce her.

She has appealed a life sentence and is awaiting results of the appeal.

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Pair Booked For Murder Of Dairyman

A young Negro and his father were charged with murder here Monday in the knife - slaying of a white superintendent at Hall Brothers Dairy in Snowdoun Saturday.

The charges were placed against Levie Belser, 18, and his father, Josh Belser, 45, in connection with the killing of Bernard Clayton, 50, route superintendent at Hall Brothers.

The Negroes were arrested Sunday morning along with Josh Belser's younger son, whose name was withheld.

Chief Deputy Richard Goodwyn said the younger son has been turned over to Juvenile Court. Under Alabama law, he, too, can be charged with murder if the Juvenile Court declares him incorrigible and turns him over to Circuit Court.

All three Negroes are being held without bond in County Jail. Levie and his father face preliminary hearings in Court of Common Pleas June 16 on the murder charges.

Clayton was stabbed and slashed to death Saturday afternoon while he and another white dairy employe were trying to stop a disturbance among Negro workers on dairy property. R. L. Wood, who accompanied Clayton to the scene, was slightly injured but not hospitalized.

Levie signed a statement Sunday in which he admitted attacking Clayton with a knife.

Two Negroes held in killing of dairyman

MONTGOMERY, Ala., June 16— (AP)—Josh Belser and his father were charged with murder yesterday and a younger brother was turned over tto Juvenile Court in the knife slaying of a white dairy employe.

Josh Belser, 45, and Levie Belser, 18, were charged with first-degree murder. The name of the yonger son, 16, was withheld. However, he too, can be charged with murder under Alabama law if Juvenile Court declares him incorrigible and turns him over to Circuit Court.

The Belsers were charged in the death of 50-year-old Bernard Slayton, a white employe of a dairy in the Snowdoun community south of Montgomery. The Belsers live on his property.

Clayton was slashed to death while trying to stop a disturbance among Negro workers at the dairy Saturday night, deputy H. W. Mitchell said.

Mitchell said Levie Belser signed a statement admitting he attacked the white man with a knife, and that his father and brother also admitted taking part in the fight.

Burglar Is Killed In Arkansas Store

Shot By Segregationist Convicted In Bombing

LITTLE ROCK, Feb. 7. — (AP)—E. A. Lauderdale, segregationist convicted in a bombing here, shot and killed a Negro burglar in his roofing and material store early Tuesday, police said.

Officers said the dead man was 23-year-old George Hill of Little Rock, who was scheduled to appear in Municipal Court Tuesday on a morals charge. Police said he also had been arrested in a larceny case.

The Lauderdale family lives in an apartment at the rear of the Lauderdale Roofing and Material Co.

Detectives told this story:

Mrs. Lauderdale, awaked by dogs barking, looked through a peephole into the store and saw the front door open. She called Lauderdale, who took a .45 caliber automatic pistol and went to the peephole. He saw a Negro man walking toward the door carrying a cash register. Lauderdale yelled for the man to stop, but he kept going, so he fired one shot. The man dropped the register, ran 100 feet, then fell to the ground. Lauderdale then called police.

Lauderdale was not held. He is free on bond pending a ruling on his appeal to the state Supreme Court from his conviction in connection with integration-related bombings here on Labor Day of 1959.

Negro Given Death Penalty For Slaying

Montgomery Advertiser
Montgomery, Ala.
Mr. 2-10-61

OAKLAND, Calif. (AP)—A Negro who killed a white girl in the University of California library after she rejected him as a suitor was sentenced this week to die in the San Quentin Prison gas chamber.

Bertrand Joseph Houk Jr., 22, also known as Mohammed Abdullah, is the 33rd person under sentence to die.

Houk had embraced the Moslem faith and taken a Moslem name.

Superior Court Judge Donald K. Quayle sentenced him under both names.

A deep sigh was the only reaction of the 250-pound killer of blonde coed Sonja Hoff, 21, July 13.

At Sacramento Wednesday a new bill to abolish the death penalty in California was introduced in the State Assembly.

Assemblyman John A. O'Connell, D-San Francisco, and 14 coauthors proposed instead a maximum sentence of life imprisonment without possibility of parole.

Already pending in the legislature, which refused to abolish the gas chamber in 1959 and 1960, is a bill calling for a four-year moratorium on executions.

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15-Year-Old Boy Shoots Parents

The Commercial Appeal
Memphis, Tenn.
Mr. 2-23-61

Reason For Two Murders: Father Whistled During TV Shows

By The Associated Press

REDDING, Calif., Feb. 22.—A slender 15-year-old boy who fumed over his father's habit of whistling during television shows shot and killed his parents in bed Wednesday, clubbed a screaming woman boarder, then fled with $425 in church and Boy Scout funds.



Dayrl Moss

Daryl Moss, president of his high school sophomore class, was captured in the family car near Redding an hour after the shooting at the dam site town of Lewiston, 45 miles to the west.

"I hated my father," officers reported the boy said of Veril Moss, 45, an elder in the Mormon Church.



Mr. Moss

The youngster's shirt and trousers were blood-spattered.

Asked why he killed his mother, Lois Elizabeth, 44, Daryl was quoted by police: "I didn't like her much, either."



Mrs. Moss
—AP Wirephotos

Don Kennedy, Trinity County district attorney, said the blond, crewcut Boy Scout camly confessed the killings, ate a good breakfast and fell asleep in his quarters at Juvenile Hall.

Daryl told of being irritated by such habits of his father as whistling during television viewing and drumming fingers on tables.

The money, recovered along with two rifles in the car, was $400 entrusted to his father by the church and $24 of the Scout troop for which Daryl was secretary.

It was the second teenage killing in this area within a week. Wallace Mitchell Ford, also 15, told officers he crushed the head of an 8-year-old girl with a rock near Redding on Valentine's Day after being frightened out of his plan to rape her.

The Moss family came to the area from Logan, Utah, for work on the Trinity Dam project. The father was a program engineer for the Bureau of Reclamation.

Father Shot First

A police spokesman said:

"He (Daryl) went into his parents' bedroom shortly after midnight and put the rifle next to his father's head and shot him.

"The mother woke up screaming. The boy slammed his mother with one gun, then shot her with the other, killing her.

"By this time, the woman border (Miss Jean Ann Taylor, 20) was screaming. Daryl shot at her, missed, then clobbered her over the head with the gun stock."

Jury to decide sentence in bludgeon death

The Birmingham News
Birmingham, Ala.
Mr. 3-6-61

SAN DIEGO, Calif., March 6—(AP)—A jury reconvenes today to decide whether Robert B. Dalton must die or serve life in prison for the bludgeoning of his 86-year-old benefactor.

The jury last night convicted Dalton of first-degree murder in the death of John R. Larendon, wealthy retired New York City ships stores merchant.

Larendon, who died Dec. 7, had willed Dalton his entire $600,000 estate. Police said Dalton, the elderly man's secretary-companion since 1949, fatally beat Larendon in their $100,000 home at scenic suburban La Jolla Nov. 20, 1960.

Dalton, 39, claimed a burglar must have done it. He said clothing and liquor were stolen.

He appeared to bite his tongue upon hearing the verdict last night but otherwise showed no emotion. Under California law the same jury, seven women and five men, will now decree the penalty. It could send him to the San Quentin Prison gas chamber.

DALTON AND HIS employer moved to La Jolla from New York in 1957. Dalton, tall and slender, with graying blonde hair, testified he awoke about 7 a.m. Nov. 20 and found Larendon "in a bloody mess sitting in his chair."

"I shuddered and screamed and walked out. I thought I was having a bad nightmare," said Dalton. "Then I walked back in and asked John what had happened. He replied, 'Nothing, my leg will be all right.'

"I never have hit, assaulted or harmed John R. Larendon. I was very fond of Mr. Larendon. He was very generous."

LARENDON HAD a fractured ankle and was blood-spattered from head and face wounds. The coroner's pathologist testified at the trial that he died of a brain hemorrhage resulting from a head blow. Police say he apparently never realized what had happened to him.

Police Sgt. Glenn Lebus testified that during the investigation Dalton said, "I wish the old man was dead. He's nothing but a vegetable."

The prosecution produced testimony that there was human blood on Dalton's shoes. Neighbors said that if there was a burglar, they didn't hear Dalton's poodle barking.

Police testified they had matched Dalton's fingerprints with a torn-out screen from a bathroom window which they said he apparently removed in trying to back his story of a burglar-killer.

FINCH DRAWS LIFE IN WIFE'S SLAYING

The N. Y. Times
New York

Same Sentence Is Decreed for Miss Tregoff—Both Faced Gas Chamber

Special to The New York Times.

LOS ANGELES, April 5—Dr. R. Bernard Finch and Carole Tregoff were given life sentences in prison today for murdering his wife in West Covina on July 19, 1959.

Under the California law, the husky, 43-year-old suburban surgeon and his redheaired mistress, 24, may apply for parole in seven years, but the State Adult Authority may prolong their incarceration indefinitely. The defendants escaped possible death penalties.

Finch was convicted March 27 of first degree murder, and Miss Tregoff, a former receptionist and waitress, of second degree murder. However, both were also found guilty of conspiring to commit murder in the first degree, which carries the same maximum penalty as the act itself.

The penalties were voted, after three days' deliberation, by the same Superior Court jury of ten men and two women that had sat on the third trial of the couple, following two trials last year that resulted in hung juries.

The imposition of penalties by trial juries is a recent California innovation in capital cases.

Just before bringing in its finding, the jury had asked Judge David Coleman if it could sentence a defendant to life imprisonment without possibility of parole. He told them no.

If the jury had been unable to agree on penalties, the judge could have dismissed them and set sentences himself, short of the death penalty.

The doctor's wife, Mrs. Barbara Jean Finch, was shot by her husband in a scuffle just after she had driven into the garage of her home.

He contended the gun had been in her car and that he was defending himself. The state charged that he and Miss Tregoff had plotted the killing, to the length of trying to hire an ex-convict to remove Mrs. Finch so their illicit romance could be legalized and Finch could get control of the family's sizable community property.

Miss Tregoff, who accompanied the doctor to the scene, was hiding in some bushes during the struggle.

Technically, Dr. Finch will be under two life sentences, one on the murder conviction and one on the conspiracy. Miss Tregoff will be under sentence of five years to life for the second degree conviction, in addition to the life sentence.

Dr. Finch listened to the verdict stolidly. Miss Tregoff buried her head in her hands and her shoulders shook.

A Tearful Dr. Finch, Carole Convicted of Murdering Wife

LOS ANGELES (UPI)—Dr. R. Bernard Finch and his red-haired mistress, Carole Tregoff, were convicted of murder Monday in their third trial in the pistol-slaying of the surgeon's wife in July, 1959.

"Oh my God," Finch murmured when he heard the verdict. "After all this time."

The jury of 10 men and two women found Finch, 43, guilty of first degree murder, and convicted Carole, 24, of second degree murder on the fourth ballot after deliberating for a little over 21 hours. The jury also convicted the lovers of conspiracy to murder—a crime punishable by death.

The prosecution said it would demand the death penalty for both Finch and Carole.

The same jurors, under California law, will decide the penalty for the two defendants when they reconvene Monday.

As the lovers left the courtroom, Finch reached out to touch Carole but she withdrew in a tense emotional scene.

Finch who faces the gas chamber or life in prison was red faced and visibly trying to avoid crying as he heard the verdict. But he could not hold back the tears as he sat at the counsel table.

Carole, who faces a sentence of five years to life on the second degree murder conviction, managed to look at the jury with a fixed stare. But she also began sobbing and had to be led from the courtroom.

Finch's wife, Barbara Jean, 36, was shot to death outside the couple's fashionable home.

The first trial ended with a hung jury although it was reported to favor convicting Finch 9-3, and for acquitting Carole, 8-4. The second trial jury was reported to have found Finch guilty but was unable to reach a decision. It was reported split 9-3 to convict Carole of second degree. The three trials took up more than 10 months and cost about $270,000.

'I'll Be Old Woman'

Life Terms Given Dr. Finch, Carole



FINCH



CAROLE

LOS ANGELES — (UPI) — Dr. R. Bernard Finch and his flame-haired mistress Carole Tregoff were sentenced to life in prison Wednesday for the July 18, 1959, killing of the surgeon's wife.

The 10-man, two-woman panel spared the lovers death in the gas chamber when it returned its decision after 12 hours of deliberations since Monday.

Carole, 24, and Finch, 43, turned deep red as the verdicts were read by the court clerk. After a few seconds, the former model broke down and said:

"No, no, no. I'll be an old woman when I get out."

Finch reached across the table, touching her right arm with his left hand. "We'll fight it, darling," he said. "We're still alive."

"We'll go as high as the Supreme Court if necessary," said Carole's lawyer, Don Bringgold.

Normally, a life sentence in California means a convict is eligible for parole after a minimum of seven years.

The jury that sentenced the crewcut surgeon and his sweetheart is the same one that convicted them nine days ago of the shot-in-the-back killing of Mrs. Barbara Jean Finch, 33, on the lawn of her West Covina home.

It sentenced Finch to life on both counts of his conviction — first degree and conspiracy to murder. It gave the same decision in Carole's case for conspiracy.

Miss Tregoff also had been found guilty of second degree murder, which carries an automatic five years to life sentence. But Judge Coleman ordered the jury Monday to consider only the conspiracy conviction, thereby making the second degree charge meaningless.

Maxwell Keith, Finch's lawyer, and Bringgold, Carole's attorney, both said they would appeal the convictions which came at the lovers' third trial. The first trial started in December, 1959. The three trials took up more than 10 months of court time. The last trial was concluded three months and two days after it started.

Coleman will pass formal sentence later.

"They're still very much in love," Bringgold said, adding he was surprised by their affection for each other after all their time in jail.

"They sure appear to be in love," said Keith.



Associated Press Wirephotos

DEFENDANT'S APPEARANCE CHANGED DURING 20 MONTHS OF WAITING

Carole Tregoff, Left, After Sentencing; Right, at Time of Arrest in 1959

13c 1961 CALIFORNIA

Dr. Finch And Carole Given Life

By RICK DU BROW

LOS ANGELES (UPI)—A jury with a life-or-death mandate Wednesday condemned Dr. R. Bernard Finch and his flame-haired mistress Carole Tregoff to life in prison for the July 18, 1959, killing of the surgeon's socialite wife.

"No, no, no," Carole said. "I'll be an old woman when I get out."

The door was left ajar for possible parole—under certain conditions—after a minimum of seven years.

The 10-man, two-woman jury which last week convicted Finch, 43, and Miss Tregoff, 24, of murder and conspiracy late Wednesday, spared them death in the gas chamber—the only alternative left because of instructions by Superior Judge David Coleman.

California law permits application for parole after seven years of a life sentence. But the state adult authority would have power to reject such a petition as long as it did not feel the prisoner was eligible. The average time in prison for a man sentenced to life and later paroled is 11 years, four months. The figure was approximately the same for women. Some are never paroled.

When the jury returned its decision at 7:35 p.m. (Atlanta time), it had spent nearly 12 hours trying to decide on the penalty. Both Carole and Finch — "still very much in love" according to one attorney—turned deep red and the ex-model broke into tears.

Finch reached across the table, touching her right arm with his left hand. "We'll fight it, darling," he said, "we're still alive."

"We'll go as high as the Supreme Court if necessary," said Carole's lawyer, Don Bringgold.

When Finch heard his sentence, he put his hands palm down on the desk, placing his head on top of them. He stayed in that position for about three minutes. When he sat upright again, the desk was wet from tears.

Judge Coleman set Monday, April 17, to hear arguments for a new trial. He would pass sentence formally at that time if the motion were denied.

Later, Coleman said he was "very relieved" at the verdict since he did not have to impose the death sentence.

Co-prosecutor Clifford Crail, who had demanded the death penalty, said he would "be the last person to quarrel" with a duly appointed jury. "We certainly will accept the verdict," he said.

The jury that sentenced the crewcut surgeon and his sweetheart is the same one that convicted them nine days ago of the shot-in-the-back killing of Mrs. Barbara Jean Finch, 33, on the lawn of her West Covina home.

A crowd of about 100 persons jammed in the small courtroom and heard the jury indicate at 6:25 p.m. that there was a disagreement over whether the lovers should be given the life imprisonment with its possibility of parole.

The panel asked Judge Coleman in a formal question:

"Is it possible to return a verdict of life imprisonment without possibility of parole?"

"My answer is no," the judge replied.

Fifty minutes later, the jury buzzed that it had reached a decision.

It sentenced Finch to life on both counts of his conviction—first degree and conspiracy to murder. It gave the same decision in Carole's case for conspiracy.

Miss Tregoff also had been found guilty of second-degree murder, which carries an automatic five-years-to-life sentence. But Judge Coleman ordered the jury on Monday to consider only the conspiracy conviction, thereby making the second-degree charge meaningless.

Maxwell Keith, Finch's lawyer, and Bringgold, Carole's attorney, both said they would appeal the convictions which came at the lovers' third trial.

Husband Held In Canada for Deaths of 12

Wife, 11 Children Perished in Blaze

BEDFORD, Quebec, Jan. 18 (AP). — Abel Vosburgh was charged with murder today in the deaths of his wife and eleven children, whose bodies were found in the smoking ruins of their shanty home Dec. 29.

The charge was filed by Crown Prosecutor Claude Noiseux. A statement said the sixty-three-year-old Vosburgh will be arraigned shortly, but no date was announced.

A coroner's jury last night found Vosburgh, sole survivor of the fire, criminally reponsible. As a crowd of 300 persons milled around outside the hearing room, Vosburgh denied he caused the fire and kept his family from escaping.

Called to Wife

Vosburgh, an unemployed laborer, testified the flames awoke him and that he called to his wife, who police said was dead before the fire started. Vosburgh said he then ran to a water pump outside their home in the village of Noyon, thirty-five miles south of Montreal.

Vosburgh testified he heard his wife shout "Richard," the name of a dead child, as he ran.

"Did you hold the door closed?" Mr. Noiseux asked.

"No sir, I did not," Vosburgh replied.

Commenting that the fire spread rapidly, Mr. Noiseux asked, " was it that bad because you spread oil on the floor?"

"No sir," Vosburgh replied again. He told police earlier a stove exploded, sending a sheet of flame through the wooden house.

Denied Beating

Vosburgh also denied he ever beat his forty-three-year-old wife. One of the four Vosburgh children away from home when the fire broke out, Irving, eighteen, had testified his mother and father fought "about once a month."

Accidental death certificates were signed for Mrs. Vosburgh and the children shortly after the fire and without an inquest being held. Then police heard suspicious talk in Noyon and began an investigation. They arrested Vosburgh Jan. 7 and then exhumed the bodies. An autopsy showed Mrs. Vosburgh died before the fire began, police said.

Body Found Inside Car

BATESVILLE (AP)—The Highway Patrol said the body of a missing Air Force captain was found in his wrecked car just off U.S. 80 in a creek near this Barbour County community late Thursday afternoon.

The patrol identified the victim as Capt. Thomas P. Queen, about 30, a student at Maxwell Air Force Base.

The body was taken to Clayton for an autopsy Thursday night to determine cause of death.

Sheriff William J. Allen said the car was demolished when it traveled about 150 feet down an embankment after going off the highway, hit a tree on the creek bank and overturned.

A patrol spokesman said the car apparently was wrecked "two or three days ago."

A search was under way earlier for Queen, about 30, who left Turner Air Force near Albany, Ga., Sunday night to drive to Maxwell Air Force Base at Montgomery but failed to arrive on schedule.

Capt. Queen's wife, Dorothy, and 3-month-old daughter live at Albany, Ga. His mother and father, Mr. and Mrs. James E. Queen, live at Bethesda, Md.

He was a member of the 1775th Mapping and Charting Squadron at Turner. He had been at Maxwell attending Squadron Officer School since early January.

Kidnaped Boy's Body Is Found

BELLEVILLE, Ont., March 22 (UPI)—The body of a 10-year-old boy kidnaped for $25,000 ransom was found near here today.

Police said the body of Thomas McNevin was found in a field 5 miles northwest of here. The boy, whose father, Donald, operated a creamery here, had been missing since Monday when he left home to play hockey. His disappearance and the receipt of a ransom note and phone call were not disclosed by police until today.

Cause of the bay's death was not immediately deter mined.

Last night, Warren Williamson, 41, the dead boy's Cub Scout master, shot himself shortly before a meeting he told authorities he was to have with the boy's kidnapers. William son had told police a rambling story that he had been picked by the unknown kidnapers as a go-between in the kidnap plot.

The missing boy's father had been described as in comfortable circumstances but not especially wealthy.

Kidnaped Ontario Boy Found Dead After His Scoutmaster Kills Self

Police Withhold Suicide's Note

From Wire Dispatches

Belleville, Ontario, March 22. —A 10-year-old kidnap victim was found tied to a tree and dead of exposure in a field near here Wednesday 24 hours after the boy's Scoutmaster committed suicide after he had been questioned by police.

Thomas McNevin was abducted Monday after leaving home to play hockey with some friends.2 When the boy was found, his hockey cap was pulled halfway down over his face.

His father received a $25,000 ransom demand, and the Scoutmaster, Warren Williamson, 41, who has a wife and two adopted children, said he had been chosen by the kidnapers as the go-between to deliver the ransom money.

Abduction Kept Secret

Police did not make public the abduction until early Wednesday.

The Scoutmaster, a partner in a Belleville paper-towel firm, was an elder of Tabernacle United Church. He left a note which police refused to make public.

Williamson told police Tuesday that he had found a ransom note attached to the sun visor of his automobile instructing him, "Do as you are told if you want to help the boy."

Police questioned him at length about his story but released him. Tuesday night, in the basement of his ranch-style home, Williamson killed himself with a shotgun, police said.

Discovery of the suicide led Crown Attorney John A. Pringle to tell reporters earlier Wednesday that he was not hopeful Tommy would be found alive.

The boy's father, Donald McNevin, heads a Belleville creamery and is a former alderman of this city on Lake Ontario.

The father said he received



Associated Press Wirephoto
THOMAS McNEVIN, 10
His body is found

a telephone call 2 hours after Tommy left home Monday afternoon saying his son had been kidnaped and to look in a newspaper box two blocks from his home. The box contained a note reading:

"Get $25,000 in used fives, tens, and twenties. Pack it tightly in a brown paper and tie tight. Park your Cadillac in front of 241 Ann Street at 3 p.m. Tuesday and stay for 15 minutes to show instruction completed. You will receive a call any time after 9 p.m. with further instructions. Do not contact police or anyone. Follow instructions and your son will be home shortly after midnight tomorrow (Tuesday)."

Second Note Brought In

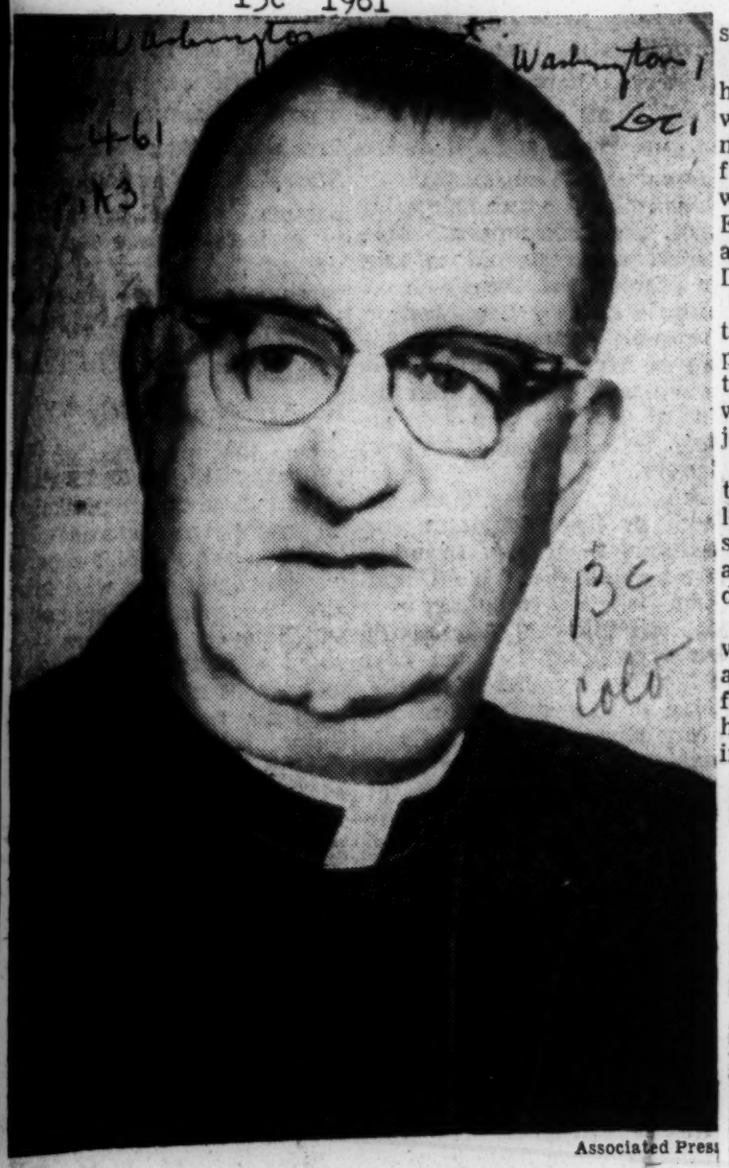
Later Williamson showed up at the McNevin home with the note he said he had found in his automobile. It gave further instructions about a rendezvous at a drive-in restaurant and advised:

"Give all instructions to delivery man. He will be told what to do with them."

The proposed rendezvous in the note Williamson produced was for 10 p.m. Tuesday. The Scoutmaster, after questioning by police, killed himself before the scheduled appointment, police said.

Tommy was the second youngest in a family of four children.

13c 1961



Associated Press

MSGR. DELISLE A. LEMIEUX
... shoots and kills burglar rifling rectory

Priest Kills Burglar Stealing Collection

DENVER, April 3 (UPI)—A Roman Catholic priest who shot and killed a man he caught trying to steal the Church's Easter collection went into seclusion today while police searched for a second man believed wounded by the clergyman.

The rectory at St. Catherine's Catholic Church reported the Rt. Rev. D .A. Lemieux was spending the day "with friends" and declined to answer further inquiries.

The priest, 58, an avid hunter, surprised two men last night as they were rifling through a buffet in the church's dining room, apparently in search of the day's collections. He told police he armed himself with a 12 gauge shotgun and a 32 caliber automatic after he saw two men approaching the church and then heard the sound of breaking glass.

When he walked into the dining room he ordered the two, "Don't move or I'll shoot."

But he said they ignored his warning and moved toward him. When they ignored his second warning he fired the shotgun, fatally wounded 32-year-old Richard E. Sanders, an ex-convict with a three-page police record in Denver.

Sanders companion grabbed the shotgun and fled. The priest fired the automatic three times. Two of the bullets were found in a wall and door jamb.

Msgr. Lemieux believed the third struck the second burgler in the leg but the man sped away in a 1948 model automobile registered to Sanders.

He said Sanders, who died while on the operating table at Denver General Hospital from his wound, had $61 with him, all of it sorted and bearing the names of donors.

Priest In Seclusion After Killing Thief

Police Search Second Man Believed Wounded

DENVER, April 3.—(UPI)—A Roman Catholic priest who shot and killed a man he caught trying to steal the church's Easter collection went into seclusion Monday while police searched for a second man believed wounded by the clergyman.

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COLORADO

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13c 1961

CONNECTICUT

Youth Opens Gun Battle With Police

WESTPORT, Conn. (AP) — An elderly man was shot to death in his home early Tuesday. A short time later his son appeared at nearby police headquarters and started a gun fight with several officers, police said.

The son, Brendan McLaughlin, 26, and two police officers were wounded in the exchange of bullets.

About the same time McLaughlin's father, Eugene, 70, was found dead of five bullet wounds. Neighbors reported hearing gunfire at the home.

Police Capt. Louis Rosenau said the younger McLaughlin entered the station about 2:20 a.m. and opened fire with his pistol, wounding Patrolman Donald Bennette, 26.

Rosenau said McLaughlin then leveled his gun at the desk officer, Andrew Chapo, 35. Chapo, turning on his radio transmitter, told McLaughlin, "don't be a fool. Put that gun down."

With that McLaughlin turned and ran outside. Chapo and Bennette followed and were joined by Patrolmen George Stanton and Richard Alley who had been alerted by the desk sergeant's words over the radio.

In the gunfire that followed McLaughlin and Chapo were wounded.

Two bullets were taken from McLaughlin's stomach and chest at Norwalk Hospital. His condition was termed critical. The officers, Bennette and Chapo, both were treated for hip wounds.

McLaughlin was placed under police guard. No charges were filed against him. He is employed by a New York advertising firm.

Police said they knew of no motive for the shootings.

Two Teen-Age Criminals Held For Seven Murders

The News and Observer

SALT LAKE CITY, Utah (AP)—Two closed-mouth teen-age soldiers cracked under interrogation Sunday and said they killed seven persons during a brutal cross-country robbery spree, the FBI reported.

They thought they had killed nine, or at least eight. Their gun carried eight notches on the handle.

But FBI agent-in-charge Leonard Blaylock said two of those nine had not been killed. Robbery was the reason they gave, he said.

Report By F.B.I.

Here's the report by the FBI on the pair—George Ronald York, 18, of Jacksonville, Fla., and James Douglas Latham, 19, of Mauriceville, Tex.—who were arrested Saturday noon by an alert Utah sheriff:

It started May 29 with the strangling of two Georgia women who had gone to Jacksonville with what they figured was a sure combination to win the daily double.

The two men took the womens' money, car and .38-caliber revolver which was in the glove compartment.

It ended with the shooting of an 18-year-old girl they met at a carnival in Craig, Colo. last Friday night.

On the way, an elderly Negro from Tennessee was robbed and killed.

They took his car to Illinois where they robbed and killed a filling station operator and another man whose car and .22-caliber revolver they took to Kansas and robbed and killed an elderly railroader.

Colorado Girl.

Then they met the Colorado girl who thought she was going with them to California for a brief vacation. They robbed and killed her and maintained they did not sexually assault her.

The other two they thought they killed were a man in Louisiana whom they beat up and robbed and an unidentified man in a car whom they shot at near Atkins, S.C., and thought maybe they had killed him.

The women killed in Jacksonville were Althea Ottavio, 43, and Patricia Anne Hewitt, 25, of Valdosta, Ga.

The elderly Tennessee Negro was John A. Whitaker. That happened last Wednesday at Tulahoma, Tenn.

Albert E. Reed, 35, of Litchfield, Ill. was killed Thursday near Edwardsville, Ill., which is seven miles from where the Granite City, Ill., filling station operator, Martin Drenovac, 69, was killed the same day.

Killed In Kansas.

Otto Ziegler, 62, was the Union Pacific roadmaster killed Friday near Wallace, Kan.

And Rachel Marian Moyer, 18, of Craig, was the Colorado girl whom they met Friday night and whose body was found along a river outside town the next morning.

The FBI said the two soldiers were AWOL from the Army disciplinary barracks at Ft. Hood, Tex. They were held here under $10,000 bond for violation of the Federal Stolen Car Act.

Blaylock, said it will be up to the U.S. attorney in Knoxville, Tenn., to decide whether they will be prosecuted in Florida, Tennessee, Illinois, Kansas or Colorado.

He said the pair's wave of brutality actually began May 27. Then, Blaylock said, they hit Edward Joseph Guidroz with a wrench, near New Road, La., robbed him and left him for dead. But Guidroz lived.

Robbed Women.

From Louisiana, Blaylock said, they went to Jacksonville. There they robbed the two women of money, jewelry and a revolver.

In Tennessee, the FBI reported, they took $40 from Whitaker and drove in his car to Illinois. There they shot Reed and took his bright red car. That was the car they were driving when caught Saturday west of Grantsville, Utah.

They also took Reed's .22-caliber pistol. They had both the .22 and the .38 when arrested.

The same type of red car was seen in northwest Kansas, where Ziegler was killed, and at Craig, where the young girl was killed.

The pair picked up a hitchhiker west of Salt Lake City Saturday. He was a recently discharged paratrooper from San Francisco, Vincent E. Olson, who was returning home. Olson was with the two men when they were arrested at the roadblock. He was released.

Tooele County Sheriff Fay Gillette spotted the red car Saturday morning, followed it and set up a roadblock. He arrested the soldiers with the help of two Utah Highway Patrol troopers and the Grantsville city marshall.

Gillette said the two soldiers opened the glove compartment and reached in as if to pull out the guns, but decided against it.



JAMES DOUGLAS LATHAM (left) AND GEORGE RONALD YORK . . . Shown In Utah Jail Photos Taken Shortly After Their Capture.

Youths Admit Killing 7 In Brutal Spree

The News and Observer

SALT LAKE CITY (AP)—Two young AWOL soldiers, apparently without a trace of remorse, cracked under FBI questioning Sunday and said they killed seven persons in a cross-country robbery spree from Florida to Colorado.

In fact, the FBI said the youths —one 18, the other 19 — thought they may have killed nine, and ticked off dates and places. They had a pistol with eight notches cut in the handle.

But agents said they confirmed only seven slayings in a fast nationwide police check. They said one victim had actually escaped after a bullet smashed his car windshield in a South Carolina highway chase.

But there was no doubt the seven mentioned had met violent death — two vacationing women from Georgia, strangled in Jacksonville, Fla., where they had gone to bet a "sure thing" at the race track; an elderly Tennessee motorist; a service station operator in Illinois; an Illinois motorist; a Union Pacific railroader in Kansas, and a teen-aged Colorado girl.

If they had any remorse for the killings they claimed, the youths hid it behind stoic faces and a sometimes-surly attitude. Deputy Sheriff Paul Ferguson of the Salt Lake County jail told a reporter:

"They aren't taking it as bad as you are."

James Douglas Latham, 19, known in his home town of Mauriceville, Tex., as a boy with a good reputation, and George Ronald York of Jacksonville, Fla., were arrested Saturday in a stolen car near little Grantsville, Utah, by Sheriff Fay Gillette.

For almost 24 hours they would say nothing about the claims against them — murder, theft, flight to avoid prosecution, assault.

"It was almost 100 in the shade but they wouldn't take any water. I asked if they wanted an attorney and they said, 'No'. We tried for almost five hours but they wouldn't say anything."

They were brought to the county jail here. Sunday morning, after breakfast, they were questioned by two FBI agents. They talked.

The youths, AWOL from Fort Hood, Tex., told somebody in Tennessee that they were headed for California.

"That did it," said an FBI agent here. "It started a nationwide alert along U.S. Highway 40."

Gillette, alerted and on the lookout for their car, got them

without incident after they passed quietly through Grantsville Saturday headed west. They were dressed almost identically, with the same style sports shirts, black cotton pants and moccasin-type shoes.

Leonard Blaylock, agent in charge of the FBI office here, gave this account of the wild escapade:

It started May 29 with the strangling of two Georgia women who had gone to Jacksonville with what they figured was a sure combination to win the daily double.

The two men took the womens' money, car and .38-caliber revolver which was in the glove compartment.

It ended with the shooting of an 18-year-old girl they met at a carnival in Craig, Colo. last Friday night.

On the way, an elderly Negro from Tennessee was robbed and killed.

They took his car to Illinois where they robbed and killed a filling station operator and another man whose car and .22-caliber revolver they took to Kansas and robbed and killed an elderly railroader.

Then they met the Colorado girl who thought she was going with them to California for a brief vacation. They robbed and killed her and maintained they did not sexually assault her.

13c 1961 D.C.

Ex-wife, physician are victims

WASHINGTON

Before 39 - year-old John Pledger shot himself to death in a vacant lot, he had spread death and bloodshed in his path. Dead also were his ex-wife, Mrs. Zelma Pledger, 32, and Dr. Monroe (Monk) Gregory, a well known Washington physician.

Wounded were Augustus Valentine, 37, and Theodore Wells, 38.

Carrying two guns, John Pledger, a guard at the Main Navy Building at 19th and Constitution Ave., NW, charged into the section of the building where his wife was employed, fatally shot her and seriously wounded two of her co-workers.

* * *

HE THEN took someone else's car, drove to a Florida Ave. doctor's office, rushed in and shot the doctor.

Thirty - minutes later the man shot himself in a Flager St., NW, vacant lot.

At the end of the shooting melee the dead listed included Mrs. Zelma Pledger, 32, 900 block Madison St., NW; Dr. Monroe G. Gregory, 50, 200 block Florida Ave., NW, and Pledger himself.

* * *

THE WOUNDED included Augustus Valentine, 37, of the 5000 block Eighth St., NW, who works with Mrs. Pledger at the Bureau of Ships. He is in critical condition at George Washington Hospital with three bullet wounds, two in the back and one in the left arm.

Also wounded was Theodore Wells, 38, of 1312 Madison St., NW, a worker in the same department, who is at George Washington Hospital with bullet wounds in the arm and chest. His condition is listed as fair.

Police traced the seemingly erotic path of the dead slayer to shortly after 9 a.m. when he walked into his wife's office and began an argument.

HE HAD been there before and had been asked to leave, the police said.

They said Mr. Wells told them when he attempted to leave the room Pledger drew his gun and said, "I want to talk to you. This is it."

PLEDGER FIRED a shot and missed and Wells said he opened the door and attempted to flee. He was hit as he ran down the corridor. He ran all the way to the dispensary where it was learned that a bullet had entered his arm and went out through his chest.

MRS. PLEDGER and Mr. Valentine also tried to escape the wildly - shooting man, police said, but both were shot down.

Mrs. Pledger died at George Washington Hospital of a bullet wound in the head at 10:30.

Police said the man must have fired at least ten shots. Three bullets were found lodged in the woodwork of the office.

Pledger then drove to Dr. Gregory's office, rushed past a receptionist and two waiting patients, and barged into the doctor's office.

FROM A BROKEN wrist watch and eyeglasses on the floor police conjectured that the doctor must have put up a fight.

His body was found in a pool of blood with five bullet holes in it..3 in the chest, right hand, and left hand.

Two more bullet holes were found in the walls of the doctors office.

From the doctor's office Pledger drove to the home of Mrs. Cora Green, 71, in the 2100 block of Flagler Pl., NW, a longtime friend who used to care for his daughter.

POLICE ARRIVING at Mrs. Green's home found Pledger fatally wounded on a vacant lot nearby.

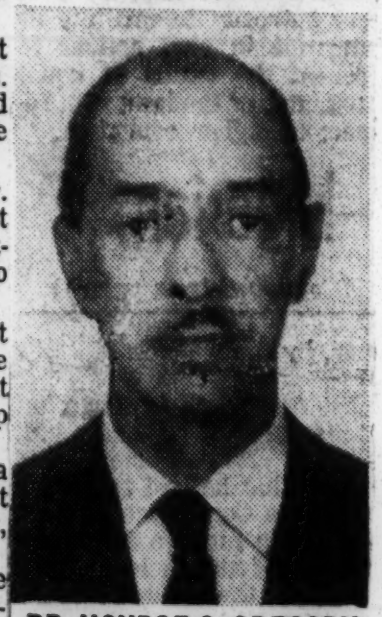
He had apparently fired one shot from a .38 caliber pistol through the top of his head. The pistol was found beside the body. Another pistol was found on a table at Mrs. Green's home.



JOHN PLEDGER
Suicide victim



MRS. ZELMA PLEDGER
Dies in hospital



DR. MONROE G. GREGORY
Slain in office

Supreme Court Orders 4th Trial for Willie Stewart

The Washington Post

The Supreme Court ordered a fourth trial for Dillie Lee Stewart yesterday because the prosecutor asked an improper question when Stewart was tried and convicted of first degree murder for the third time.



Stewart

Washington D. C. Times 4-25-61

The decision, by a 5 to 4 vote, brought vigorous protests from the dissenters.

Stewart, 38, has been in death row at the District Jail off and on ever since the hold-up-slaying of Harry Honikman, a grocer, on March 12, 1953.

Stewart's first conviction was set aside by the Court of Appeals because the District Court judge erroneously instructed the jury on the law of insanity — Stewart's only substantial defense.

The second conviction was upset, 5 to 4, by the Court of Appeals because of improper argument made to the jury by the prosecutor.

Each conviction was for felony-murder which carries a mandatory death sentence here.

Times 4-25-61

At issue in this third case was the following exchange between assistant United States Attorney Frederick G. Smithson and Stewart:

Q. This is the first time you have gone on the stand, isn't it, Willie?

A. What?

Q. This is the first time you have gone on the stand, isn't it, Willie?

A. I am always on the stand; I am everything, I done told you."

Before the Supreme Court, the Government conceded that these questions should not have been asked. Under a statute of Congress and court decisions the failure of a defendant to testify at one trial cannot be used against him if he testifies at another.

But the Government argued that the two questions were harmless and could not have affected the jury's verdict.

Justice Hugo L. Black, joined by Chief Justice Earl Warren and Justices William O. Douglas, William J. Brennan Jr., and Potter Stewart, said the two questions might have had some influence on the jury. Black suggested, for example, that the questions might have led the jury to think that Stewart was faking the testimony out of desperation because he was not acquitted at the other trials.

Justice Black: "It is regrettable when the concurrent findings of 36 jurors are not sufficient finally to terminate a case. But under our system, a man is entitled to the findings of 12 jurors on evidence fairly and properly presented to them. (Stewart) may not be deprived of his life until that right is accorded him."

Justice Felix Frankfurter, joined by Justices John M. Harlan and Charles E. Whittaker, said the Court's visions of prejudice from the two questions are "chimerical."

Justice Tom C. Clark said he finds the speculation of the Court about what the jury might have thought "with due deference, entirely unrealistic, if not completely absurd."

Condetti Murder Is Solved, FBI Says, With Arrest of Mt. Rainier Man in Miami

Year-Long Search Conducted for Slayer of Boy, 7

The FBI yesterday said it had solved the year-old Michael Condetti murder case with the arrest in Miami of a 41-year-old auto repairman who was charged with kidnaping the youngster.

The suspect was booked as Joseph Halverman Alvey, formerly of 3402 Newton st., Mount Rainier, and the possessor of a long local police record.

The arrest, agents said, climaxed a year-long search for the slayer of the 7-year-old second grader who vanished from his home at 2415 14th st. ne., on Nov. 14 of last year.

Pictures on Page A3

His body, mutilated sexually, was found three days later by a hunter in a clump of woods just over the District line in Prince Georges County.

The FBI said Alvey was taken into custody without incident and that he had given agents a statement on the case.

Continuous Effort

A spokesman said Alvey's arrest was the result of a continuous all-out effort by police of the two jurisdictions involved—plus a big initial assist from a Virginia State trooper who first mentioned Alvey as a possible suspect in the crime, some three weeks after its commission.

Metropolitan police records show Alvey, a specialist in auto body repair work, first got into trouble here in 1937 when he drew a 10-day sentence for simple assault.

According to the FBI, there follows a string of convictions on offenses ranging from breaking bottles on the sidewalk through sounding false fire alarms and housebreaking to an indecent assault charge in 1949.

Molestation Arrest

On Feb. 21 of that year he was arrested for molesting an 8-year-old boy in a downtown Washington theater. A month later, he pleaded guilty to the charge and was sentenced to serve from 3 to 9 years in prison. He served five of them, his dossier shows.

Investigators said that at the time young Michael Condetti was slain Alvey lived only about a mile northwest of the Condetti home and between it and the Ardmore Woods in which the body was found. He left the area, police said, within a week of the crime's discovery.

Shortly after the crime, the suspect's mother, Ocie Trumble, returned to live at the family's former home near Lorton, Va., and her son took off for Florida.

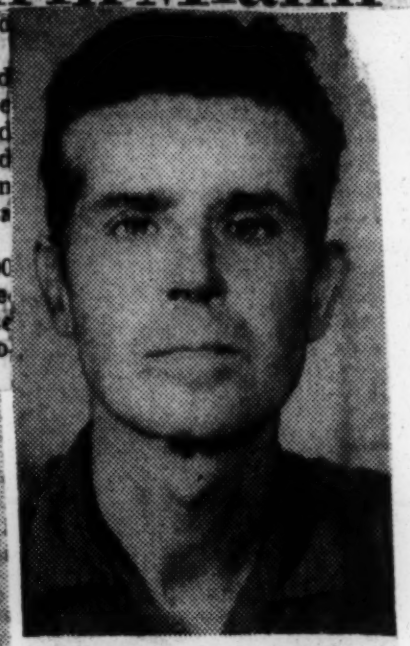
During his stay there, he was arrested by the Miami police as a vagrant, but eventual disposition of that case was not immediately available. Condetti investigators said they first talked to Alvey about the case several weeks ago and that he steadfastly denied knowledge of the murder which precipitated a sustained civic outcry here through the long weeks of fruitless search for the killer.

The murdered youngster was the son of Mr. and Mrs. Joseph Condetti, one of their four children. He was a student at St. Anthony's School near his Brentwood Village home.

He left home on that fatal Monday afternoon with the announced intention of pricing a book bag at a neighborhood variety store. He was never seen alive again. When he failed to return, an intensive neighborhood search which grew ever wider as the days went by, turned up no clues to his whereabouts.

Finding of his body touched off a house-by-house police canvass of the vicinity and for weeks police searched files of known sex perverts in an effort to come up with a suspect.

The FBI said more than 200 persons were considered seriously as suspects in the case before their investigation focused on Alvey.



JOSEPH H. ALVEY
. . . suspect in Condetti case



MICHAEL CONDETTI
. . . slaying victim

Slain Postal Worker Found in Car Trunk

The body of a Post Office employe missing two weeks was found yesterday in the trunk of his car. There were two bullet holes in the head of the victim, William H. Graves, 52, of 1825 Bay street S.E.

The place of the discovery, a parking area at the rear of 584 Fiftieth street N.E., was several miles from Mr. Graves' home.

Leroy Sims, 46, a truck driver and night watchman living at the Fiftieth street address, said he first noticed the car on Sunday 14 days ago.

Called Police

"After a while I called police about it," Mr. Sims said. "I guess they came out while I was at work, but my wife said she saw a police car pulling out of the driveway."

Mr. Sims became curious again yesterday while working near the car. He detected an odor and again called police. This time the examination was thorough. The body could be seen from behind the lifted rear seat.

Two bullets were recovered from the head, Deputy Coroner Rchard L. Welton said. One was lodged in the brain and the sceond flattened against the skull. Both had been fired into the forehead just above the nose. Dr. Welton said they appeared to be .32 or .38 caliber.

Police checked the report of a neighbor who said she heard moaning in front of the Graves home about 3 a.m. Sunday April 23, and looked out to see the Graves car moving rapidly away.



WILLIAM H. GRAVES

Mr. Graves was a distribution clerk at the main Post Office and was first vice president of the National Alliance of Postal Employes. He was active in the Mount Moriah Baptist Church and the Boy Scouts.

A neighbor, Joseph E. Ward of 1827 Bay street S.E., said the Graves had lived next door for nine years. He described Mr. Graves as a "quiet, friendly man who liked to play golf."

Mr. Graves leaves his wife, Theodosia, and two sons, Billy, 19, an Air Force airman second-class home on leave, and Calvin, 17.

Diplomat Accused Of Slipping U.S. Secrets To Reds

WASHINGTON—(UPI)— A 41-year-old U.S. diplomat was arrested by FBI agents Tuesday on charges of passing government secrets to a Polish Communist agent—allegedly a 22-year-old blonde who seduced him in Warsaw.

Irwin C. Scarbeck, until recently second secretary in the U. S. Embassy at Warsaw, was accused of transmitting U. S. security information to "an agent of the Peoples Republic of Poland" in Warsaw from January through May 31 of this year.

The FBI said in a formal complaint that the graying foreign service officer admitted in signed statements that he passed the secret information to the agent. The nature of the data and the identity of the agent were not disclosed by the FBI.

But Chairman J. William Fulbright, D-Ark., of the Senate Foreign Relations Committee said he had been told "that a Polish blonde seduced him and then blackmailed him" for the secrets. Other sources said the woman was 22.

WIFE REMAINS OVERSEAS

Scarbeck, a native of Brooklyn, was married twice. His present wife and their three children, including two-year-old twins, are now with the wife's mother in Dusseldorf, Germany.

Scarbeck faces a maximum penalty of 10 years in prison and a $10,000 fine. He joined the State Department in 1952 and served in Washington and San Francisco before being transferred to Poland in 1958.

It was stated that no vital military secrets were involved in the Scarbeck case but that other data had been transmitted. The degree of national security involved apparently will be an issue in any court case.

Secretary of state Dean Rusk said it was the first time that a U. S. Foreign Service officer had been accused of giving away state secrets.

Scarbeck knew he was under investigation but made no attempt to flee. He was brought back to this country a week ago Tuesday for questioning and had been staying at a motel. He was arrested on the street at 9:30 a.m. EDT, while walking to the State Department.

He was accompanied today by State Department personnel but was not then under detention. However, he was suspended by Rusk with a letter which advised him that he was released "without pay effective the moment you receive this communication."

HIGH BAIL SET

Scarbeck was arraigned before U. S. Commissioner Sam Wertleb, who accepted the government's recommendation that a $50,000 bond be set in view of "the very serious nature of the crime and world conditions what they are today."

Mrs. L. E. Thomas Arrested

Judge's Wife Held In Robbery-Slaying

The Miami Herald P1
Wed. 12-20-61

By TONY PATRUS
And DICK KNIGHT
Herald Staff Writers

The wife of City Judge L. E. Thomas was arrested by Miami homicide detectives Tuesday and charged in connection with the slaying of a Negro woman.

Police arrested Mrs. Eugenia B. Thomas, 37, at Jean's Restaurant, 1400 NW Fifth St., on a warrant issued late Tuesday by Peace Justice Ralph B. Ferguson. She was accused of setting up a robbery in which Beatrice Dunaway was killed last Oct. 28.

The official charge against Mrs. Thomas is "conspiracy to commit a felony resulting in first degree murder."

Judge Ferguson said that "under the present law of this state, the charge is tantamount to one of first degree murder and the penalty — death — can be imposed."

Her husband, notified of the arrest by friends, rushed to the Miami police station and said he was "shocked" at the charge.

P.1

Police also revealed Tuesday that two other Negroes, Aubrey W. Henry, 27, of 1322 NW Fifth Ct., and Clarence Simpson, 28, who has no local address, have also been charged with first degree murder in the death of the woman.

Detectives said both men admitted the killing, which occurred during a robbery which they claim Mrs. Thomas set up for them.

Mrs. Dunaway was killed during a robbery attempt at the apartment of Catherine Wilson, at 1661 NW Fifth Pl. The address is across the street from the Thomas home at 1656 NW Fifth Pl.

Henry, arrested by police Dec. 4, admitted the killing and implicated Simpson, police said. Simpson, arrested Dec. 16, admitted the shooting and implicated Mrs. Thomas, police added.

According to police, Mrs. Thomas told the men they could get some "easy money" at the Wilson apartment, which was believed to be a bolita counting house.

The two men said they spent most of Oct. 28 in the Thomas home watching the apartment, then forced their way in with drawn guns. During the robbery, Simpson said, he got in a scuffle with Mrs. Dunaway, who was visiting, and "accidentally shot her."

The two men fled with $200 and left about $700 behind, police said.



Miami Herald

Mrs. Thomas Fingerprinted
. . . by Miami Police Officer Matthew Moschetta



—Herald Staff Photos by RON WAHL

wed 12-20-61

Judge Thomas
. . . enters station

Police said Mrs. Thomas first denied knowing anything about the crime, but "later she admitted she knew the two men, that they used her home and that she saw they had guns."

A hearing on the charges will be held before Judge Ferguson at 1 p.m. today.

Judge Thomas, a resident of Miami for 27 years, was appointed a Miami judge in 1950 and was the first Negro ever appointed to a judgeship in the South since the Civil War.

He served over a special Negro court for five years, but went out of office in 1955 in a Commission shakeup. He was reappointed to the $4,250-a-year job in 1959 for a two-year term.

A well-known and respected figure in Miami, he has been particularly active in the Greater [illegible] A.M.E. Church and in civi[illegible]nctions.

Teen-Age Negro Cleared in Pistol Death of Brother

A coroner's jury yesterday cleared a 15-year-old Negro boy in the shooting death of his brother on Jan. 19 while the boys were playing with a stolen revolver in the bedroom of their home.

The youth admitted to police that he had stolen the gun from a car parked at the Coliseum. He and several other boys are under investigation in connection with a series of petty thefts in the East Jacksonville area, police said.

The 15-year-old said that he, his brother and a white boy were snapping the hammer on the empty .38-caliber revolver, and then tried the gun with a bullet in it. The gun discharged and the bullet struck the boy's 16-year-old brother in the chest.

Asst. State Atty. Nathan Schevitz who handled the inquest before Justice of the Peace Dorcas B. Drake yesterday said the jury found the shooting was accidental.

Slayers' Testimony Awaited In Lurid Chillingworth Trial

FORT PIERCE, Fla. (UPI)—An ex-convict and a convicted Negro bootlegger waited to be called from jail cells today to repeat their confession of te murders of Circuit Judge and Mrs. C. E. Chillingworth.

Former West Palm Beach Municipal Judge Joseph A. Peel Jr. is being tried on charges of plotting the couple's deaths in 1955.

MAY BE CALLED

Prosecutor Phil O'Connell said he had not decided if either Floyd (Lucky) Holzapfel or George (Bobby) Lincoln, his two star witnesses in state efforts to send Peel to the electric chair, would be called today.

The ex-convict and the convicted Negro moonshiner, who confessed drowning the prominent couple at sea on Peel's orders, waited in Palm Beach County jail to be driven here to testify.

"I want to set the scene before we put either of them on the stand," O'Connell said. "When we call them depends on how fast the trial moves."

The trial's first witness Tuesday was Robert Force, a strapping carpenter from Hypoluxo who went with his boss to the Chillingworth beachfront cottage at exclusive Manalapan on the morning of June 15, 1955.

They found the house empty, the beds mussed and a porch light broken, he said, and "we had a premonition that something wasn't right. When you had an appointment with the judge, you had to be there because he would usually be there to meet you. He was a very punctual man."

Force told of shouting for the judge and his wife, Marjorie, of going into the house to look for them, of finding a partly used roll of adhesive tape on the porch, and of calling police.

The second witness was a professional photographer from Palm Beach, Sam Quincey, who made photographs of the cottage when it was determined the Chillingworths had vanished.

FEARED DETECTION

The prosecutor said he intended to prove that Peel, a municipal jurist at the time, "became excited, nervous" because he thought Chillingworth knew of his involvement in gambling and moonshine rackets with Holzapfel and Lincoln.

He said Holzapfel and Lincoln rented a boat and kidnaped the Chillingworths from their cottage, took them to sea and threw them overboard wrapped in chains.

Defense attorney Carlton Welch charged that the state's case against Peal "is compounded of the testimony of hoodlums who saw something to gain" from state attorneys by confessing. He said the case was "compounded of rumor and gossip."

Peel's was aboard the boat used to haul the Chillingworths out to sea.

Mrs. Peel said the gun seldom was taken out of the house and couldn't have been aboard the boat used in the murders.

But when she told Eugene Spellman, assistant prosecutor, the gun she held was a Remington, Spellman got another witness to testify the 20-gage shotgun was made by Western Arms Co. and didn't have Remington "anywhere on it."

The bloodhound "Holmes" came under the prosecutor's fire earlier.

Former Palm Beach County investigator John R. Hiatt said the trail Holmes sniffed out on an unused road in front of the Chillingworth's beachfront cottage near Palm Beach apparently was made by an insecticide spray trailer.

Defense attorney Carlton Welch also lost out in an attempt to present testimony to the jury from Palm Beach County lie detector expert George W. Greer that a man named George K. Nash had reported seeing a body being taken from the Chillingworth cottage on the morning of June 15, 1955, the day the prominent couple's disappearance was discovered.

Greer said Nash was "psychotic," and Circuit Judge D. C. Smith upheld Prosecutor Phil O'Connell's objection to presentation of the testimony.

Mrs. Peel identified the shotgun as "the gun Joe Peel has owned since before we were married. He had it at Stetson University and we used it to go skeet shooting."

Mrs. Peel broke open the gun on the witness stand—with the barrel pointing toward the jury. But she apparently was mixed up on the make of the shotgun.

Peel Witnesses Are Discredited

Wife Errs On Gun Make And Hound 'Holmes' Is Discredited

By United Press International

FORT PIERCE, Fla., March 23.— The prosecution found a flaw Thursday in testimony given by the wife of the accused mastermind of the Chillingworth murders and cast doubt on the reputation of "Holmes"—a bloodhound introduced into the case by the defense.

Mrs. Imogene Peel, 31-year-old wife of former West Palm Beach Municipal Judge Joseph A. Peel Jr., took the witness stand cradling a shotgun in her arms. Her husband is on trial for his life on charges of ordering the drownings at sea of Circuit Judge C. E. Chillingworth and his wife, Marjorie.

Negro moonshiner George 'Bobby' Lincoln, who along with Floyd 'Lucky' Holzapfel has confessed killing the socially-prominent couple on orders from Peel, testified earlier that a shotgun that "looked like"

Negro Death Verdict Held As Justified

TALLAHASSEE, March 24 (UPI)—The Supreme Court today upheld the death sentence given Negro Robert Lee Jefferson who was convicted of first degree murder in Bay County.

Jefferson was convicted of the January 1960 shooting of Russell Digsby, a white attendant at a Panama City service station. Jefferson forced Digsby into his car, drove him to the outskirts of the city where he robbed him, then later shot him while returning to the city.

When picked up by the police in Lynn Haven, near Panama City, Jefferson admitted shooting Digsby but said it was accidental.

Circuit court jury refused to go along with Jefferson's testimony that he meant no harm to Digsby and did not intend to shoot him. He contended he should not have been convicted of first degree murder.

The high court said it reviewed the entire record of the case "and the interests of justice do not require a new trial."

The court said it was "well settled" that a shooting during a robbery, when the victim dies, constituted murder in the first degree.

Negro Key In Hired Killing

PORT PIERCE, Fla. — The defense attorney for Joseph E. Peel, jr., accused of masterminding the killing of a circuit court judge and his wife in 1955, dropped a bombshell in the controversial trial Friday.

He said that George (Bobby) Lincoln, a Negro moonshiner accused with Floyd (Lucky) Holzapfel of drowning the couple, "was not even along on the boat" with Holzapfel, that some "other people were," and that Lincoln was "just a payoff man."

Atty. Carlton Welch is defending Peel, a former West Palm Beach municipal judge, against charges Peel hired the killers of Judge and Mrs. C. E. Chillingworth.

Lincoln and Holzapfel had both confessed and named Peel as the mastermind of the plot. They allegedly abducted the pair, took them to sea in a small boat and dumped them over the side.

Another witness, P. O. Wilber, a bailbondsman, testified he had issued special cards to Lincoln and Holzapfel whom he said worked for Peel as Bolita (gambling) peddlers that would get them out of jail on bond quickly if they were ever arrested.

Patrolman Killers Sought by Florida Guard, Police

JACKSONVILLE, Fla. (AP) — A state trooper was shot to death and a prison dog handler critically wounded near Jacksonville Thursday, and national guard units were called into a massive manhunt for two armed desperadoes.

Trooper E. J. Gasque was killed as a huge posse of state, county and city law enforcement officers converged on the wooded area about 20 miles west of Jacksonville where the fugitives fled after firing at a county patrolman.

Maj. Gen Mark Lance, state adjutant general, said Gov. Farris Bryant authorized the guard to join the search and about 25 men plus 10 jeeps and an armored vehicle were sent to join the posse.

The desperadoes apparently shot Gasque as he came on them about 200 yards off the Seaboard Railroad tracks.

Gasque's body was found in tall grass. Officers said he was shot at close range and the trooper's rifle and pistol had not been fired.

Apparently the fugitives were frightened away by other members of the posse before they could take the trooper's weapons.

The wounded dog handler is Johnny Wells, 32, a trusty at the Callahan State Prison road camp.

He was in critical condition at a Jacksonville Hospital with a bullet wound in the chest.

Detective Vince Howell of the Duval County sheriff's office told a newsman he shot Wells, mistaking the trusty for one of the fugitives.

Howell said he saw a white shirt moving in a thicket and called for the man to halt. The man ducked down, Howell said, and the detective fired.

The men were first encountered by Duval County road patrolman J. L. Parmenter. He said he saw the two men standing beside an auto on a lonely road where he had caught two men with a stolen pay phone Wednesday morning. Parmenter said he stopped to check on the men and was getting ready to let them go when one of the men pulled a pistol. They took the patrolman's revolver and handcuffed Parmenter to a small tree.

As they drove away, Parmenter managed to get one hand in his trouser pocket. He got the kep to his handcuffs and freed himself.

Calling for help on his car radio, Parmenter gave chase to the pair. He said they shot at him and then his patrol car broke down. He wasn't hit.

The fugitives set fire to their car and escaped into the wooded area.

Death Probe Trail Leads To His Sister

MIAMI, Fla. (AP)—A Miami policeman, often working on his own time, cracked a tough murder case and found his own sister at the end of the trail.

"Now I'm sick," officer Willie Nicholson, 35, said Wednesday when he discovered that apparently he had trapped his sister, Eugenia Thomas.

Equally shocked was Municipal Judge L. E. Thomas, first Negro judge in the South since the Civil War, when Mrs. Thomas, 37, his wife, was charged in setting up a robbery that led to the killing.

"It came out of a blue sky," said the judge. "But I'll stick by her all the way."

Mrs. Thomas was accused of plotting with two men to rob a lottery counting house across the street from her home.

The robbery was staged by the men on Oct. 28 and when Beatrice Dunaway, a woman in the house, resisted she was shot to death.

Police said Mrs. Thomas was implicated by two men, Aubrey W. Henry, 27, and Clarence Simpson, 28, who admitted the killing. She was charged with conspiracy to commit a felony resulting in murder, which is punishable by death.

Nicholson, one of Miami's best known Negro policemen, worked weeks on the case, finally arresting Henry. Henry implicated Simpson and the latter accused Mrs. Thomas. Nicholson did not know this until last midnight when Judge Thomas, his brother-in-law, telephoned him.

The judge and his wife were married eight years ago and have two small children.

Officers Link Young Negro, Slain Cabbie

FLORALA — A murder charge will be placed against a 26-year-old Negro, in connection with the ice pick murder and robbery of a Florala taxi driver, Farris Russell, Monday.

Officials withheld the murder suspect's name, but said that he is still being trailed by bloodhounds and police.

Covington County Sheriff Cliff Meredith said sufficient information has been gathered to warrant placing a murder charge against the Negro when the grand jury meets next Monday.

Bloodhounds tracked the suspect to a house on the outskirts of Florala Tuesday night, but he escaped before authorities could make an arrest.

BROADCAST NOTICE

Alabama authorities broadcast a notice throughout south Alabama and northwest Florida for motorists to be on the lookout for a Negro hitchhiker. Motorists were warned not to pick the suspect up but to immediately inform the nearest law enforcement agency.

The Okaloosa County office in Florala received a report from a woman motorist of a Negro walking along railroad tracks approximately six miles east of Crestview.

MOTIVE CITED

Okaloosa Sheriff Ray Wilson and deputies rushed to the scene in an attempt to check out the information.

Robbery was established as the motive for the slaying of Russell, 35-year-old father of two. Officers said that he was known to have "at least $100" in his pockets a short time before he was slain.

Russell was found on a lonely dirt road leading to the Alabama Tung Mills off the Opp-Florala highway eight miles north of here. He had been stabbed 28 times with an ice pick found near the body.

Russell had been a cab driver in this Covington County town for some three months, previously working in Mobile.

Babysitter's Body Found in Weeds

The Atlanta Constitution
Atlanta Ga.

JACKSONVILLE, Fla. (AP)—An unemployed roofer looking for pop bottles to trade for money Friday stumbled across the body of a 13-year-old girl missing since Tuesday night.

The discovery by Thurman Saunders in the Southside Estates area east of Jacksonville ended an intensive two-day hunt by officers of two states for Carolyn Miller.

SEVERELY BEATEN

An autopsy report said a bullet which entered one side of her head and came out the other caused the 7th-grade student's death. She also had been severely beaten on the face and head.

Carolyn left the home of Mr. and Mrs. Jack Thompson Tuesday night—where she was employed as a babysitter — to visit her mother. A jobless boat welder, Charles Truitt, offered to drive her in the Thompson car and she went with him.

The 26-year-old Truitt killed himself the next morning near Brunswick, Ga., with a small-caliber pistol when police closed in to arrest him.

FLED FROM THE CAR

The Georgia officers had started a hunt for the parolee from a Maryland mental institution after he fled from the blood-soaked car he had borrowed from the Thompsons.

Investigators said Truitt was released from the Maryland institution last November and told not to leave the state. He came instead to Florida. His former home was Girdletree, Md.

Carolyn's body, face up and partly covered by underbrush, was barely visible from the road. She was the oldest of seven children. Her father left the family about a year ago.

WAS BABY-SITTING

The girl had been staying with the Thompsons for about two weeks, baby-sitting with their children for her board and a small salary. On the night she disappeared, she told Mrs. Thompson she wanted to see her mother.

Truitt, an acquaintance who lived nearby, volunteered to drive Carolyn home.

Her body was found in an area previously searched by Duval patrolmen. Four patrolmen still were hunting Friday after a search Thursday which involved officers on foot, mounted and in the air.

In addition, agents for the FBI hunted along U.S. 17 between Brunswick and Jacksonville on the assumption she had been kidnapped.

Saunders, who found her body, knew the Miller family. "I hadn't seen her (Carolyn) in about seven months but I knew who she was," he said. All he knew of her disappearance, he said, was a story he heard from a man in a nearby junkyard.

Chillingworth slayer gets death penalty

The Bradenton Herald
Bradenton, Fla.

WEST PALM BEACH, Fla., May 4—(AP)—All the verdicts are in for the three men involved in the Chillingworth murder conspiracy, most sensational in Florida history.

And here are the conceptions of justice, as administered by a jury, a judge, and the prosecutors:

Joseph A. Peel Jr., 37-year-old city judge who allegedly extracted protection money from gamblers and moonshiners. He feared that Circuit Judge C. E. Chillingworth would expose him. He ordered the judge thrown into the Atlantic Ocean.

Peel's verdict, by a jury: Life in prison.

FLOYD HOLZAPFEL, strong-arm hoodlum and Peel's partner in the rackets. He drowned Chillingworth when Peel commanded him to.

Holzapfel's verdict, by a judge: Death in the electric chair.

Bobby Lincoln, Negro moonshiner. He picked up the protection money and gave tips on raids. He helped Holzapfel carry out the Chillingworth murders.

Lincoln's verdict: Immunity from prosecution.

Circuit Judge Russell O. Morrow said yesterday it was a strange freak of justice that Holzapfel should have to die alone "for a crime that shook the county, the state and the nation."

Holzapfel stood before the judge, remorseful, resigned and indifferent to his fate. His confession had broken the mystery of the Chillingworths' disappearance.

MORROW TOLD Holzapfel he had been deeply moved by "the way you have come into court of your own free will and the great aid you have given the state."

But he said a judge could not be promiscuous in his dealings or deviate from the law.

The murder of the Chillingworths was a crime that was "grusome, vicious, cold-hearted and premeditated," Morrow said.

Then he ordered Holzapfel taken to the state penitentiary, to be put to death.

Clay Negro Given Life For Murder

The Florida Times-Union
Jacksonville, Fla.

By Staff Writer

GREEN COVE SPRINGS, May 9 — James Brown, Penney Farms Negro, today was convicted of first degree murder by a 12-man white jury which recommended mercy.

He was given a mandatory life sentence in prison by Judge Frank Elmore.

Brown was convicted for the March 11 knife slaying of Lucinda Corbett, Green Cove Springs Negro woman. Sheriff John Hall termed the slaying the most brutal he had ever seen.

Brown took the stand today and said he had dated the woman on the night of the murder. He said they got in an argument over $5 he had given her. He testified he remembered reaching for his knife but could not recall killing the woman because of his drunken condition.

The woman's mutiliated body was found the next morning in a vacant lot near her home.

Chillingworth Reward Asked By Slayer

The Miami Herald P. 2-A
Fri. 10-6-61 Miami, Fla.

By C. G. BERNING
Herald Staff Writer

Bobby Lincoln — the confessed killer who bashed a shotgun over the skull of Judge C. E. Chillingworth as he drowned at sea — now is trying to collect the $100,000 posted for the conviction of the murders.

This strange twist to Florida's most sensational murder case emerged Thursday as a court test on the reward loomed in Tallahassee.

Leon County Circuit Judge Walker May will hear claims for the state-supplied reward at 10 a.m. next Thursday.

Lincoln, 35, a kingpin Negro moonshiner now serving a three-year term in a federal prison in Tallahassee, testified in the Joseph Peel trial last March that he and Floyd (Lucky) Holzapfel killed Circuit Judge Chillingworth and his wife at sea. Lincoln was granted immunity for his testimony.

Peel was convicted and sentenced to life. Holzapfel, who pleaded guilty, is now awaiting the electric chair.

And ironically, Lincoln becomes a free man when his term ends in May 1963.

That was the price the prosecution paid to convict Peel. It also granted Lincoln immunity in another murder, Lew Gene Harvey.

A second Peel trial — this time for the murder of the judge's wife — is scheduled for November in Ft. Pierce.

The suit to be heard Thursday was originally filed by Miami Attorney Thomas A. Testa for James Yenzer.

Yenzer was highly instrumental as an undercover agent for the Florida Sheriff's Bureau in obtaining Peel-Holzapfel tape recordings that solved the five-year mystery killing.

Also claiming the reward is P.O. Wilbur, a bondsman and police informant.

After the court determines who are the rightful claimants, the State Treasurer will distribute the reward.

The State Attorney objects to Yenzer's claim as "premature" and wants to wait until after Peel's appeal is adjudicated.

Two Young GIs Admit 7 Killings In Crime Spree

Murder Trail From Florida To Colorado Includes Tennessee Slaying

By The Associated Press

SALT LAKE CITY, June 11. —Two teenage soldiers cracked under interrogation Sunday and said they killed seven persons during a brutal cross-country robbery spree, the FBI reported.

They thought they had killed nine, or at least eight. Their gun carried eight notches on the handle. But FBI agent Leonard Blaylock said two of those nine had not been killed. Robbery was the reason they gave, he said.

The pair—18-year-old George Ronald York of Jacksonville, Fla., and 19-year-old James Douglas Latham of Mauriceville, Texas, were arrested Saturday noon by a Utah sheriff after an alert was broadcast for their bright red car.

Their spree started May 29 with the strangling of two Georgia women who had gone to Jacksonville to bet on a 'dream' winner in the daily double. Their combination came in but it is not known how much they won.

Took Money, Car

The two men took the women's money, car and 38-caliber revolver.

Next, an elderly Negro from Tennessee was robbed and killed.

They took his car to Illinois, where they robbed and killed a filling station operator and another man whose car and 22-caliber revolver they took to Kansas and robbed and killed an elderly railroader.

Then they robbed and killed a Colorado girl but maintained they did not sexually assault her.

The women killed in Jacksonville were Mrs. Althea Ottavio, 43, and Mrs. Patricia Anne Hewitt, 25, of Valdosta, Ga.

The elderly Tennessee Negro was John A. Whitaker. That happened last Wednesday at Tullahoma, Tenn.

Albert E. Reed, 35, of Litchfield, Ill., was killed Thursday near Edwardsville, Ill., which is seven miles from where the Granite City, Ill., filling station operator, Martin Drenovac, 69, was killed the same day.

Railroader Killed

Otto Ziegler was the 62-year-old Union Pacific roadmaster killed Friday near Wallace, Kan.

And Rachel Marian Moyer, 18, of Craig was the Colorado girl whom they met Friday night and whose body was found along a river outside town the next morning.

The FBI said the two soldiers were AWOL from the Army disciplinary barracks at Fort Hood, Texas.

The pair's wave of brutality actually began May 27. Then, Blaylock said, they hit Edward Joseph Guidroz with a wrench, near New Road, La., robbed him and left him for dead. But Guidroz lived.

From Louisiana, Blaylock said, they went to Jacksonville.

Civil Rights Drama Spins About Doomed Negro Youth

ATLANTA (UPI)—Another civil rights cause celebre is brewing over the case of a 15-year-old Negro who was sentenced to death in middle Georgia for the impulse slaying of a 70-year-old white farmer.

The youth, Preston Cobb, Jr., was scheduled to die in the electric chair Sept. 22 but a motion for a new trial has delayed the execution indefinitely.

Should the petition be rejected when Jasper County Superior Court Judge George S. Carpenter hears it Oct. 6, the defendant's lawyer will appeal to the nation's highest courts.

An almost routine recountal of the August trial of young Cobb touched off world reaction against the planned electrocution of one so young.

For his trial, the youth had a court-appointed white lawyer, J. Ben Warren. For his defense he will have Donald L. Hollowell, one of the South's sharpest young Negro lawyers.

PREPARED MOTION

As soon as Hollowell was retained by the National Association for the Advancement of Colored People (NAACP) to handle the case, following Warren's request to be dismissed from his duties, Hollowell prepared a new trial motion.

He said the "skeleton motion," which served primarily to halt the execution, will be followed by one with more details. He now contends only that the defendant did not have a fair trial on the basis of evidence submitted.

This was the evidence developed through witnesses at the trial in Monticello, Ga.:

Young Cobb, who had dropped out of school after the eighth grade, had gone fishing with his mother's employer, farmer Coleman Dumas, Sr.

The next day Dumas asked the youth "If I ate all the fish and when I asked him what fish, he cursed me."

According to the defendant's unsworn statement, as given the jury by Deputy Sheriff Crawford Ezell, the youth quoted Dumas as replying that "I had better be careful how I talked to an old man. He said he was too old to be playing and that he might blow my brains out any minute."

HEARD EXCHANGE

Mrs. Heathy Cobb, the boy's mother, testified, however, that she heard the exchange over the fishing incident and that the only threat from Dumas, who was drinking a glass of milk at the time, was "you'd look like a damn pretty fool if I had turned around and dashed this milk in your face."

In his statement to Ezell, young Cobb said "I made up my mind" on June 1 to kill Dumas and went to his home with a weapon. He said at different times it was a rifle and a pistol but expert witnesses testified a rifle was used.

The youth told Ezell he obtained a rifle from Dumas' station wagon, stood it beside the door of the farmer's house and went inside on the evening of June 1.

"Mr. Coleman looked around and asked me what I wanted," the statement continued. "I told him 'nothing' and walked back out and got the rifle. I went back in the house, stood by the table in the kitchen and shot him while he was sitting in the chair in the living room."

He said he put the man—still alive—in the back of the station wagon, drove away and dumped him into a ditch. By then, he said the victim as dead.

Board To Probe Ga. Conviction

Mrs. Roosevelt Asks Public To Seek Help

By ED ROGERS
By United Press International

The Georgia Pardon and Parole board promised Monday to investigate the murder conviction of a 15-year-old Negro whose death sentence touched off a wave of protests at the urging of Mrs. Eleanor Roosevelt.

The boy, Preston Cobb, Jr., would become the youngest person electrocuted in modern Georgia history if his sentence is executed Sept. 22.

He was convicted of murdering a 70-year-old white man, Frank Coleman Dumas, after an argument over fishing in Dumas' lake.

Gov. Ernest Vandiver has received a stream of letters and his office braced for a deluge as the execution date nears.

Mrs. Eleanor Roosevelt, in her syndicated column "My Day," appealed to Americans to wire Vandiver asking clemency.

NO POWER

But Georgia's governor, under What is believed to be a unique state constitutional provision, is stripped of all clemency powers except delaying executions to provide time for appeals and reviews.

The constitution vests this power solely in the State Pardon and Parole Board.

Mrs. Rebecca Garrett, chairman, said it is the board's policy to investigate all capital cases whether defense attorneys come before the board seeking clemency or not.

The board in Cobb's case will consider any mitigating factor, such as age, that might warrant a reduction of the sentence. The board might commute the sentence, order a sanity hearing or let the sentence stand.

The National Association for the Advancement of Colored People has arranged, meantime, for an Atlanta attorney, D. L. Hollowell, to file an appeal.

The NAACP said its own investigation disclosed the case was tried in Georgia's "plantation country" at Monticello last month before an all-white male jury in a county that has not had a Negro juror in 45 to 50 years.

An appeal filed on this or other constitutional grounds would almost automatically bring a stay of execution until the Georgia Supreme Court, or possibly the U. S. Supreme Court decides whether a new trial is to be ordered.

Georgia law places almost no limitation on the discretionary power of the Pardon Parole Board.

COLUM COMMENT

Mrs. Roosevelt, in her column, said there would be world-wide repercussions if Georgia electrocutes a 15-year-old boy, "regardless of whether his skin is black or white.

"Georgia is considered a very enlightened state, and it was a surprise to me to find that its laws permit this type of punishment for a minor child," she wrote. "But Georgia is part of the U. S., no matter how much we may wish to conceal the fact, and there is going to be world-wide feeling that this is unlightened penal legislation.

"I hope that not only clemency but reeducation will be given this child so that he may eventually become a useful citizen. If it is found that he cannot be either capable or responsible, then he should be properly taken care of where he can do no further harm to society."

Condemned Boy Gets Reprieve Pending Motion

MONTICELLO — (G N S) — It was announced Wednesday that a 15-year-old Negro scheduled to die in the electric chair Sept. 22 for the killing of a 70-year-old white Jasper County farmer has received a reprieve, pending a motion for a new trial.

The motion will be heard by Jasper County Superior Court Judge George S. Carpenter at 10:30 a. m., Oct. 6 at the courthouse in Milledgeville.

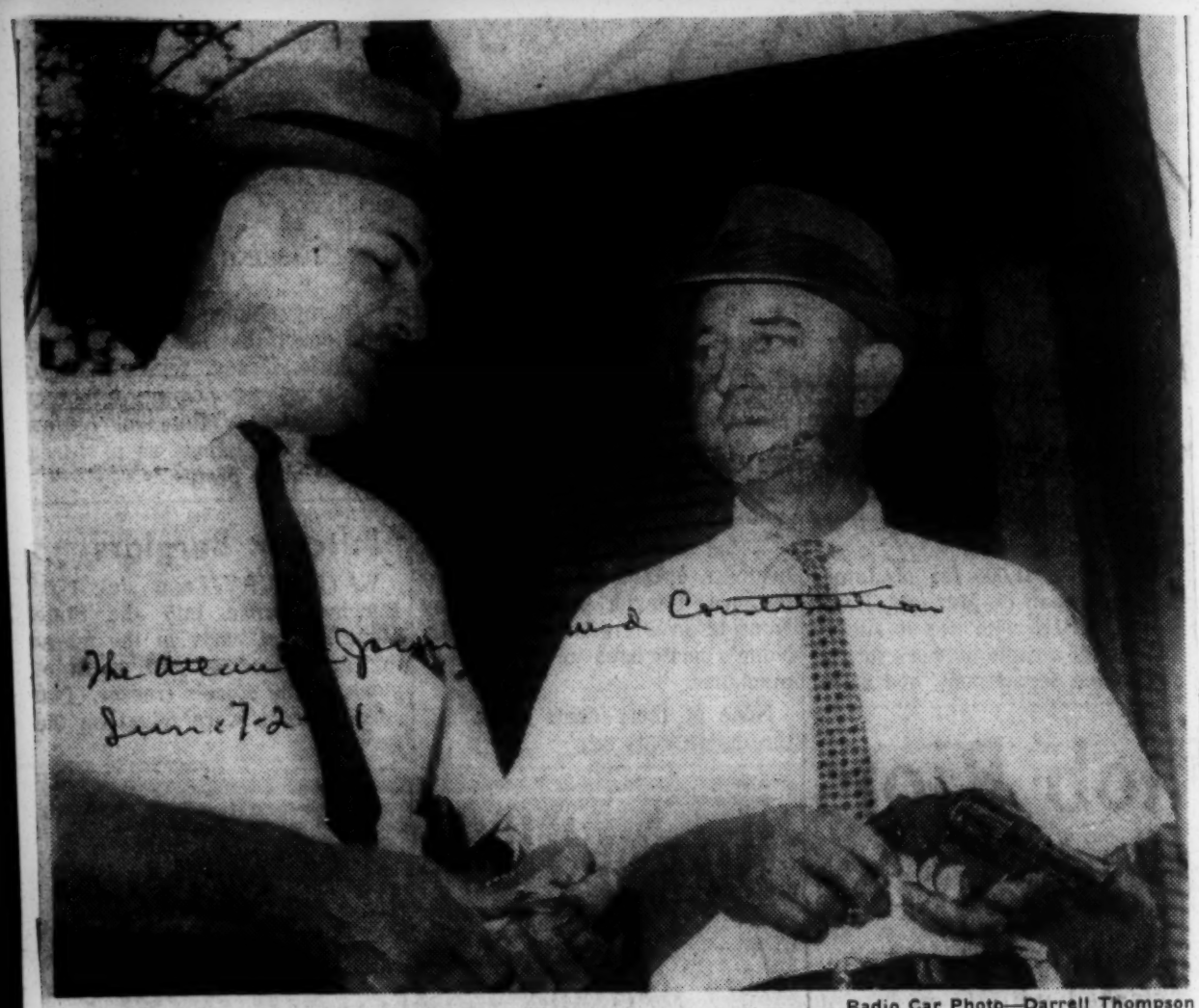
Atlanta Attorney D. L. Hollowell entered the case in the youth's defense after a court apointed attorney, Ben Warren, requested that Ocmulgee Circuit Judge Carpenter relieve him as Preston Cobb, Jr., lawyer.

The white court appointed lawyer stated that he asked to be relieved because Hollowell filed an appeal in the case in the form of a motion for a new trial, and said that he saw no basis for the action because the defendant was given a fair trial by an impartial jury and that the verdict was supported fully by the weight of the evidence presented.

Young Cobb is lodged in Reidsville State Prison and was convicted last August 16 by an all-white, all-male jury.

Georgia officials have received pleas and charges throughout the nation and foreign countries requesting that the young teenager's life be spared.

Gov. Ernest Vandiver was asked if he would take direct action to save the youth and he said "under state law I have no such powers."



Radio Car Photo—Darrell Thompson

DET. NICKERSON CHECKS SHOOTING VICTIM'S GUN HE FACED
Det. Holland Holds Roll of Bills Found on Man Who Was in House, Background

Suspect Clicks Gun, Dies as Officer Fires

BY PHIL SMITH

When detectives arrived, 19-year-old Eddie Franklin was counting his money. He had vowed he would not be taken alive. He wasn't.

While police were chasing the youth through a house Saturday, he turned and pointed a nine-shot pistol at Detective R. E. Nickerson.

"He pointed the gun directly at me," said the detective. "I heard it snap in my face."

After it was all over and Franklin lay dead of bullet wounds, Detective Nickerson looked into the .22 caliber pistol. There were seven live rounds inside, and two empty chambers. The Negro youth had "fired" twice at the detective, and nothing had happened. The next shot would have been real.

* * *

THE SHOOTOUT in northeast Atlanta occurred at noon. Franklin, wanted on a series of robbery charges, was reported visiting at 243 Pine St., NE.

When detectives arrived and surrounded the house, he bolted. Officers fired bullets after him. They said Franklin ran toward the back of the house, then toward the front. Then, said Detective Nickerson, he pointed the pistol that somehow did not fire.

The detective floored Franklin with a shotgun blow and the pistol, now with a live round in its chamber, flew out of the robber's hand.

Franklin was pronounced dead at the scene.

DETECTIVE NICKERSON said later "One more click and I would have been a goner." He recalled that Franklin had been known to tell his robbery victims, most of them merchants, that he would return to kill them if they called police.

At least seven policemen raced to the scene, and hundreds of curious people lined shady Pine Street to watch the life-and-death battle.

When he was surprised, Franklin was counting a wad of money. Police said it came to $118, and that most of it was in one-dollar bills.

Georgia Pardon Board to Probe Death Verdict of Negro Boy, 15

ATLANTA, Sept. 11 (UPI)—The Georgia Pardon and Parole Board promised today to investigate the murder conviction of a 15-year-old Negro whose death sentence touched off a wave of protests.

The boy, Preston Cobb Jr., would become the youngest person electrocuted in modern Georgia history if his sentence is executed on Sept. 22. He was convicted of murdering a 70-year-old white man. Frank Coleman Dumas, after an argument over fishing in Dumas' lake.

Gov Ernest Vandiver has received a stream of letters and his office braced for a deluge as the execution date nears.

Mrs. Eleanor Roosevelt, in her syndicated column, appealed to Americans to wire Vandiver asking clemency.

But Georgia's governor, under what is believed to be a unique state constitutional provision dating back to 1943, is stripped of all clemency powers except delaying executions to provide time for appeals and reviews.

The Constitution vests this power solely in the State Pardon and Parole Board, and it is this three-member agency, and not the governor or the courts, that is preparing to investigate Cobb's case.

The people of Georgia approved the amendment on the heels of charges of a widespread racket of "pardon-selling" during the administration of former Gov. E. D. Rivers Jr. Governors then had almost unlimited pardoning powers.

Mrs. Rebecca Garrett, the chairman, said it is the board's policy to investigate all capital cases whether defense attorneys come before the board seeking clemency or not.

The board in Cobb's case will search for any mitigating factor, such as age, that might warrant a reduction of the sentence. The board might commute the sentence, order a sanity hearing or vote to let the sentence stand.

The National Association for the Advancement of Colored People has arranged, meantime, for an Atlanta attorney, D. L. Hollowell, to file an appeal. Hollowell has not yet become attorney of record, however.

Young Cobb was convicted Aug. 16 after 45 minutes of jury deliberation of murdering Dumas on June 1 at a dwelling in which the white man lived alone.

Testimony showed that following an argument the boy hid a rifle near the dwelling, visited him at night and, after an exchange of words, shot the man in the head at a 10-foot range.

Cobb placed the body in the victim's station wagon and dumped it in a ditch some distance away, testimony showed.

Execution of Negro postponed

ATLANTA, Ga. (AP) — The execution of Preston Cobb, Jr., 15-year-old Negro boy convicted of slaying a 70-year-old white farmer in Jasper County has been postponed by a motion for a new trial.

The new trial motion will be heard by Jasper County Superior Court Judge George S. Carpenter Oct. 6 in Milledgeville.

Cobb, of Monticello, Ga., was under sentence to die Sept. 22 in the electric chair. He was convicted of shotting Frank Coleman Dumas June 1. The shooting allegedly followed a dispute over fish caught in the farmer's pond.

Attorney Donald L. Hollowell, who took up defense of the boy at the request of the National Association for the Advancement of Colored People, asked for a new trial Wednesday on the grounds Cobb was convicted on a verdict contrary to the law and evidence.

Bond Hearing For Deputy Thursday

MACON, Ga. — (UPI) — A bond hearing has been set for Thursday morning for a white Dodge County deputy sheriff charged with murdering a Macon Negro last [illegible].

The petition for the bond alleges that deputy Benjamin J. Eckles of Eastman shot the Negro in self-defense. The hearing will be held at 11 a.m. Thursday before Judge Oscar L. Long.

Eckles, 38, was held in county jail here without bond on a warrant filed by the widow of Thomas N. Quarterman, 24.

A coroner's jury Saturday returned an involuntary manslaughter verdict but Sol. Gen. William M. West held the deputy on a murder charge. Eckles testified at the hearing that he shot Quarterman during a scuffle because he thought the Negro was going to rob [illegible].

Two Negro women, Catharine Solomon and Doris Schofield, gave the coroner's jury a different version of the shooting. They said they were walking with Quarterman when Eckles approached them and started an argument.

The two women said the deputy struck the Negro and that Quarterman struck back. They testified that Eckles drew a pistol and shot Quarterman in the stomach.

Five Controversies In Ten Months

Special Deputies In Atlanta Area

By STANLEY S. SCOTT

Within the past ten months one Fulton County Special Deputy has gone on trial for murder, two others have been exonerated in killings this month, and there have been at least two cases involving Special Deputies

The question arises as to what written rules and or police laws must the more than 1250 authorized Special Deputies adhere to in being allowed to carry a deadly weapon when they are sworn in by the Sheriff's office.

Leroy Stynchombe, Chief Deputy Sheriff, when asked recently to produce a set of rules or regulations governing the Special Deputies ,said "there are no written rules governing the deputies. They are required to post a $1,000 bond by a surety company, finger printed and if they have no record of having committed a felony we swear them in."

Mr. Stynchombe further stated "none of the deputies are supposed to lock people up, but only arrest and hold the person for police." They are not to try to police the county, he said.

He said that 120 of the 1250 deputies work out of the sheriff's office but the others are not hired and do not get compensation from the city government.

The Chief Deputy Sheriff further offered that a "screening committee" has been set up in the Negro community to pass on applications for prospective Deputy Sheriff's. He said the group is made up Atty. A. T. Walden, Warren R. Cochrane and Dr. C. Clayton Powell and that no one gets a permit in the Negro community unless they pass on it.

Stynchome admitted that there should be exact written rules applicable to Special Deputies authorized to use lethal weapons on citizens of this city

He said that he has ordered men in his department not to wear their weapons on display in public when they are off duty because citizens resent being in the company of persons displaying firearms at the barber shop and drug store on Saturday afternoon.

Only two weeks ago, a young Negro was killed on the roof of a downtown building as a white Special Deputy "stalked" him for three hours in a burglary attempt.

This past weekend, a Negro 19-years -old, was fatally wounded by a Negro Special Deputy working a dance at Perry Homes Community Center. The deputy charged that the youth "came at me with a brick."

Earlier this year, a mistrial was declared in the murder trial of a white bondsman charged with shooting a Negro in the back after the man fled. The bondsman stated that his deputy permit authorized him to seek the Negro out at his home in the early morning hours.

Many citizens have complained that uniform laws should be established to govern Special Deputies activities and possibly avert unnecessary killings.

Others take the view that it is necessary to have deputies such as bank guards, plant guards, night watchmen, private detective agencies, revenue agents, law clerks and others, but a man should be trained thoroughly before being allowed to carry a deadly weapon that could provoke the taking of a human life.

Mystery Shrouds Murder Of Cabby

Uniform Officers Used As Detectives In Big Man Hunt

By STANLEY S. SCOTT

A complete mystery has shrouded the murder of Bennie David Riley, 45-year-old local cab driver found slain at 4549 Cascade Road with a bullet wound in his head June 7.

Atlanta police detectives solicited the aid of uniform officers in running down leads, but as yet, have not come forth with any information considered concrete.

Riley's decomposed body was located seven days after his blood stained cab was found abandoned on Pavillian St., S. E. Det. Sgt. J. E. Helms and Det. J. C. Smith reported that blood was found on the rear floorboard and seat.

City police were summoned to Cascade Road by a State Highway worker, Felton McElweney, 31, who told them that he was driving a state owned tractor along the right-of-way on Cascade Road when his grass cutter struck an object that was later identified as Riley's body.

Fulton County Coroner Thomas Dillion later confirmed reports that the body found lying in the high roadside weeds was that of Riley missing since May 31. Dr. Dillon stated that the victim died of gunshot wound that entered the left rear side of his head. He said that "In my opinion the man was definitely murdered."

The crime lab expert said that the murder weapon was a .38 or .32 caliber revolver. Police have tested several confiscated weapons and have failed to come up with the murder pistol.

Police indicated that a passenger has come forth and established that Riley drove her to Grady Memorial Hospital on the night of his disappearance at approximately 8:

Detectives further disclosed that Riley had been temporarily estranged from his wife and had had a quarrel with in-laws just prior to his death.

In police department circles, word has it that Riley had allegedly become intimate with a female of the opposite race and that it had become common knowledge among his co-workers.

Riley's body was discovered in a white neighborhood and the area in which his cab was found is predominately white.

Others have theorized that Riley was gambling on the night that he disappeared and that ill-will came about during the time he was winning in the game.

Fifteen days have passed since the disappearance-murder of the Quick Cab Company driver and his assailant remains a mystery.



BENNIE D. RILEY

Courtroom Filled With Racial Tension, Strain

The Defender 6/1
Oct 7-13, 61

By ADOLPH J. SLAUGHTER

An awesome tension which pervades the courtroom of Criminal Court Judge Alexander Napoli who is conducting the trial of 14-year-old Lee Arthur Hester was unsuspectingly shattered when the youth broke from his guards and leaped over a bench late Wednesday evening.

The conduct of the youth who spat, cursed and pounded state's attorneys and policemen, while certainly not designed to help his case any, sort of blew the lid off a court room that can only best be described as a "pressure tank."

Although whites and Negroes sit side by side in the courtroom which is nearly always filled with spectators, it is impossible to ignore the rank overtones of racism and the sometimes audible expressions of Negroes who feel the youth is being 'railroaded" for the stab slaying of Mrs. Josephine Keane, a Lewis-Champlin elementary school teacher found slain in a school book storage room last April 20.

'CAUSE CELEBRE'

There are Negroes in the courtroom who have made the Hester case a "cause celebre" youth is only thing that will preevnt a serious worsening of race relations in the city.

Whites, on the other hand, have openly expressed hatred for the boy whose courtroom conduct, even before Wednesday, has lent fuel to this hatred.

On more than one occasion, bitter and literally acrimonious verbal exchanges have passed between the opposing counsels Wednesday morning the exchanges reached their lowest state when actions and words of Asst. State's Attys. John Stamos and James Flynn reportedly bordered on assailing the Jewish race of Hester's three attorneys.

It was reported that the opposing counsels who sit across from each other at the same table constantly assail each other with words inaudible to the jury, judge and spectators.

There is little boudt, however, that the person most strained by what is happening — whether he realizes it or not, is Lee Arthur Hester. For almost a month, the youth has had to sit at the table — without sleeping — listening to legal arguments which could put even the strongest into a somnolent state.

Jailed since April, Hester sits each day looking at members of his family, but unable to speak to them.

Wendesday, at the close of the hearing, he saw his sister who is not allowed to visit him at his quarters at the County jail and stated he wanted to talk to her. The bailiff guarding him would not allow it and Hester broke away.

Chicago Defender

SOCKS POLICEMAN

He leaped across the first row bench, but was tackled in the aisle by Asst. State's Atty. Allen Engerman. Hester kicked Engerman in the face. Sgt. William Keating, one of the officers who originally interrogated the boy and who Hester claims "spit in my face" was socked squarely in the face by Hester when the officer attempted to grab him.

Sheldon Teller, one of the officers who arrested Hester, said the youth kicked him. James Dockery, a spectator and Elk Big Brother who has befriended the youth, said Stamos kicked the boy while he was on the floor.



LEE ARTHUR HESTER

In a state of terror, Hester screamed and threatened to kill everyone and blow up the building if he was not allowed to see his sister.

Who is responsible for these set of circumstances which have made this case much more than the trial of a 14-year-old boy accused of stabbing his school teacher? It is really difficult to say or even to place the blame on a single individual.

There can be little doubt, however, that the attitude of the State, as expressed by Stamos who is also chief of the Criminal Division, is a contributing factor.

Said Stamos: "Trial is war. If I don't annihilate them, they'll annihilate me."

Young Negro To Get Stay Of Execution

The Georgian
P. 3 A

ATLANTA (AP) — Gov. Ernest Vandiver pledged Monday that he will grant a stay of execution to a 15-year-old Negro boy under death sentence for murder if his motion for a new trial is rejected before the legislature meets next January.

He added that the general assembly should take a hard look at the state law fixing 14 as the minimum age for executions. He has received requests from several legislators that they be given an opportunity to study the problem.

Jet, 10-16-61

Vandiver made no reference by name to Preston Cobb Jr., the boy convicted of slaying a 70-year-old white man at Monticello and sentenced to death. But he left no doubt that it was the Cobb case which has brought talk of raising the age limit.

TAKE HARD LOOK

The governor's statement came at a news conference when a reporter asked if he had any comment on the Georgia law permitting execution of 14-year-olds.

"I think the legislature ought to take a hard look at that problem," said Vandiver, who usually declines comment on any case before the courts.

"If court action is concluded I intend to grant a stay in this case until the legislature has time to study the problem. I have had several requests from legislators that they be given this opportunity."

Attorneys for the youth, who will be 16 Dec. 3, have filed a motion for a new trial. If this is rejected in December by Superior Judge George S. Lawrence, they plan an appeal to the state supreme court which would stay the execution automatically.

'WE COME NOT TO CRITICIZE'

The Atlanta Constitution

Dutch Couple Flying 4,000 Miles To Save Georgia Negro from Chair

p.3 Tues 10-3-61 Atlanta Ga.

NEW YORK (UPI)—More than 4,000 miles separate The Netherlands from a lonely jail in Milledgeville, Ga., but a Dutch couple arrived from Amsterdam Monday night to seek clemency for a 15-year-old Negro boy under death sentence there for killing a white man last June.

They were Dr. B. W. Van Houten, a children's court judge in Arnhem, and Mrs. S. T. Diemer-Lindeboom, a member of the board of supervisors in Rotterdam.

Their interest centers around Preston Cobb, 15, and both emphasized that their clemency plea is based on the youth of the boy and is "wholly out of the racial question."

GROUP FORMED

Both said they knew they might have to face the same treatment accorded the freedom riders in the South, including even going to jail.

"We believe and we hope that it will not happen. But we will both face it if it arrives," Dr. Van Houten said. He said, "We come not to criticize, we come only in a friendly way."

Dr. Van Houten said that stories in the Dutch press excited interest in the case. He said there is now a loose but unofficial organization in The Netherlands working in the interest of the young American Negro.

SPEAK FOR MILLIONS

"As we come here," Dr. Van Houten said, "we think we can speak for two million women and men in Holland."

Both said they were not certain exactly how they would go about making the clemency plea. Mrs. Diemer - Lindeboom said they would remain in New York City for a few days and might confer with child welfare organization representatives.

Dr. Van Houten said, "We hope only that interest in Holland can help prevent this boy from going to the electric chair."



THEIR STORY CARRIED IN DAILY WORLD — Mrs. S. T. Diemer-Lindeboom and Dr. B. W. Van Houten, both of The Netherlands, get a view of the story carrying their plea for clemency in behalf of a Negro youth as it appeared in The Atlanta Daily World. World Reporter Stanley S. Scott (right) points out the story to the Europeans who had traveled over 4,000 miles to plead for the 15-year-old Milledgeville, Ga., Negro youth sentenced to the electric chair in connection with the death of a 70-year-old white farmer. Mrs. Diemer-Lindeboom is a member of the Board of Supervisors in Rotterdam, and Dr. Van Houten is a Children's Court judge in Arnhem.

(Perry's Photo)

Appeal for Doomed Boy, 15, Will Be Heard This Friday

The Atlanta Constitution p.3

A motion for a new trial will be heard Friday for a 15-year-old Negro boy convicted of killing a 70-year-old white farmer and sentenced to die in the electric chair.

Atlanta, Ga.

The Sept. 22 execution date for the boy, Preston Cobb Jr. of Monticello was postponed when the new trial motion was filed.

Jasper County Superior Court Judge George S. Carpenter set Oct. 6 as the date for the hearing on the motion in Milledgeville.

Cobb was convicted of shooting Frank Coleman Dumas with a rifle June 1. The incident allegedly followed a dispute over fish caught in the farmer's pond.

Attorney Donald L. Hollowell of Atlanta took up defense of the boy at the request of the National Association for the Advancement of Colored People. He asked for a new trial Sept. 13 on grounds Cobb was convicted on a verdict contrary to the law and evidence.

Hollowell said Monday he filed an amended motion in Jasper County Superior Court in which he raised "the constitutional question of the systematic denial of Negroes on juries in Jasper County and the fact that the defendant did not waive his rights to any constitutional safeguards."

Earlier an NAACP spokesman said thhe boy's family asked the organization to intervene. The spokesman said that among the reasons for seeking a new trial were the boy's youth and the fact that no Negroes had served on a Jasper County jury in the past 40 or 50 years.

No one under 16 has been executed in Georgia since the electric chair was installed in 1930 but at least two that age have been put to death in the chair.

Georgia law says that anyone over 14 may be executed for capital offenses.

The death sentence imposed on the youth has occasioned numerous protests, including one from Mrs. Franklin D. Roosevelt to Gov. S. Ernest Vandiver. A Malayan attorney also cabled President John F. Kennedy asking him to intervene.

Cobb, whose father died when he was an infant, lived with his mother, three brothers and five sisters as sharecroppers on the farm of the slain man in Jasper County in middle Georgia.

Decision delayed on Cobb re-trial

ATLANTA —The State of Georgia delayed decision last week on an NAACP motion for a new trail for 15-year - old Preston Cobb, charged with slaying a 70-year-old white man.

The Association has until Oct. 26 to file affidavits of evidence to back its argument for a retrial.

If the pending death penalty is carried out, Cobb will be the youngest person in Georgia history to be electrocuted. The original execution date was September 22.

Superior Court Judge George S. Carpenter gave opposing attorneys the additional time after a 90-minute hearing at Milledgeville.

Young Cobb is represented by Donald L. Hollowell, an NAACP attorney from Atlanta.

The lad's former court-appointed attorney was J. Ben Waring. He asked to be dismissed as the boy's lawyer explaining the he would not "attack the judgment of this fine jury representing Jasper County citizens by filing a motion for a new trial."

When the NAACP entered the case, on request of the lad's mother, it noted that Mr. Waring had failed to raise an important constitutional issue, namely that only whites have served on a Jasper County jury in 40 years.



CONDEMNED YOUTH — Preston Cobb, 15, enroute to Baldwin County jail following hearing on motion for a new trial in Milledgeville, Ga. The youth was sentenced to death last August in the rifle slaying of a 70 - year - old white farmer, Coleman Dumas Sr. Two Netherlands officials, representing "the Netherlands Committee for Preston Cobb," were present at the hearing for a new trial for young Cobb. Letters, telegrams, phone calls and personal appeals have flooded the Georgia State Capitol and the White House from many parts of the world.



MRS. LEATHA COBB, center, mother of the condemned youth, Preston Cobb, talks to two Netherlands officials who arrived in Georgia Oct. 6 to attend hearing of her son. Dr. B. W. Van Houten, right, a children's court judge from Arnheim and Mrs. S. T. Diemer Lindeboom, a member of the Rotterdam Board of Supervisors, said they represented The Netherlands Committee for Preston Cobb." (UPI Telephoto)

Bondsman Acquitted in Client Death

COLUMBUS (UPI — A Muscogee County Superior Court jury deliberated for only 17 minutes Friday before finding a Columbus bondsman innocent of charges that he had murdered a Negro client who was slow in paying a bond fee.

Sol. Gen. John Land recognized that his "circumstantial" case against Rube Cullifer probably would not support a murder charge and had asked in his closing arguments that the jury find the white bondsman guilty of "voluntary manslaughter."

But Judge Hubert Calhoun instructed the jury that it had to either find Cullifer guilty of murder or let him go free and the 12-member jury quickly took the latter course.

Death Penalty For Negro, Aged 15, Touches Off Furor

By AL KUETTNER

ATLANTA (UPI) — When a 12 man jury in Middle Georgia sentenced a 15-year-old Negro to be executed last August, it set off a chain of reaction that has made the name of Preston Cobb Jr. known around the world.

Two officials from the Netherlands, representing "The Netherlands Committee for Preston Cobb", are now in Georgia investigating the case. Letters, telegrams, phone calls and personal appeals have flooded the Georgia Capitol and the White House from many parts of the world.

Cobb, occupying a cell in the state prison at Reidsville where the Georgia electric chair is located, apparently is virtually unaware of the sudden interest in saving his life.

Young Cobb, a lanky youth who looks somewhat older than his 15 years, was convicted of first degree murder in the rifle slaying of a 70-year-old white farmer, Coleman Dumas. The jury did not recommend mercy, making the death penalty mandatory.

No one so young has ever been executed in Georgia although a controversial state law, which some members of the legislature have been trying for years to get repealed, allows capital punishment for anyone over 14.

Sponsors of the repeal legislation will get a chance for an all-out campaign to wipe the law off the books at the January 1962 session.

Gov. Ernest Vandiver announced this week that he will stay the execution of the youth, if necessary, to give the legislature time to consider repealing the execution law.

The governor has only the power to postpone executions. He cannot commute sentences or grant pardons. This responsibility is up to a three-member board.

Vandiver said he will watch the progress of the Cobb case but feels it will be unnecessary for him to take further action. He noted that a motion for a new trial has been filed in the Oculgee Circuit Superior Court, a step that will take several months to complete.

Even should the youth be convicted again, the Pardons and Parole Board still will undoubtedly look into the case and could commute any penalty to life imprisonment or less.

According to the evidence of the first trial, Cobb walked into Dumas' home and shot him to death with a rifle as the elderly man sat reading a farm newspaper.

According to a statement made to Deputy Sheriff Crawford Ezell that was made a part of the trial record, the youth said he and Dumas had argued briefly over a fishing expedition and "I made up my mind to kill him".

He said that, after shooting Dumas, he put him—still alive—in the back of the man's station wagon and drove to a ditch not far away. He said he dumped him, then dead, into the ditch. Afterward, he said, he picked up some young friends and they spent the man's money on wine and other refreshments.

The defendant was represented by a court-appointed lawyer for his first trial. Subsequently, the NAACP became interested in the case and retained one of the sharpest Negro civil rights attorneys in the South — Donald L. Hollowell of Atlanta.

Hollowell, whose court fights have been instrumental in tearing down numerous segregation barriers in the South, indicated that new evidence had been unearthed. He indicated the youth's fear of Dumas would be a major factor.

Georgia Sentencing Of Boy Contested

Special to The Christian Science Monitor

Atlanta

A 15-year-old Negro boy, sentenced to execution by a Georgia judge after conviction on a murder charge, will be spared at least until the General Assembly has a chance to change the law that makes the sentence possible.

That was the promise given Monday by Gov. S. Ernest Vandiver, who told newspapermen that the Legislature, meeting in January, should take a "hard look" at the state's statute setting a 14-year-old low age limit for capital punishment.

The case of the boy, Preston Cobb Jr., of Putnam County, has aroused an international protest against the execution of one so young.

Appeal Filed

Governor Vandiver said he expected that the case would remain tied up in the court until the General Assembly convenes. D. L. Hollowell, Atlanta Negro attorney, has filed an appeal for a new trial with Superior Court Judge George S. Carpenter at Milledgeville.

The jurist, after a hearing last week attended by some foreign observers, asked that written briefs be submitted to him by Oct. 28. He is expected to render a decision some time in December, and if adverse it probably will be appealed, requiring more time.

But if court processes are ended before the General Assembly has time to act, Governor Vandiver said he would order a stay of execution while the Legislature considers a change in the age limit.

Revision Urged

The Governor said that several members of the General Assembly had told him they believed the law should be revised. At the last session of the Legislature Rep. M. M. (Mugsy) Smith of Fulton County proposed that the age limit for capital punishment be raised from 14 to 18. No action was taken on his bill.

The Negro youth was found guilty by an all-white jury of murdering a white farmer, Frank C. Dumas Sr. As the jury did not recommend mercy, the presiding judge had no alternative under Georgia law but to sentence the boy to the electric chair.

News of the sentence has attracted wide attention both nationally and in Europe. Recently a group headed by Mrs. Franklin D. Roosevelt appealed to Governor Vandiver to commute the sentence. The Governor replied that under Georgia law he lacked the authority. This can be done only by the pardon and parole board. However, the Governor does have power to stay executions.

Advice Sought

Two visitors from the Netherlands were in Atlanta Monday seeking advice on the best use to make of a petition signed by nearly 2,000,000 of their countrymen asking that young Cobb not be executed. They are Dr. B. W. Van Houten, judge of the Juvenile Court in Arnhem, and Mrs. Fenna Diemer, a member of the Municipal Board of Rotterdam, who aided in drawing up a United Nations resolution on the rights of children.

Mrs. Diemer told this correspondent that the Dutch petition originated with the staff for Maladjusted Boys in Amsterdam. She and Dr. Van Houten attended the court hearing in Milledgeville last week.

The two visited the offices of the Southern Regional Council, a biracial organization, here.

"However," Mrs. Diemer said, "we are not interested in the racial aspects of the Cobb case—only in the extreme youth of the boy."

About a week ago the Atlanta Constitution announced that it was opposed to the execution of a 15-year-old boy, and invited readers to express their views. Within a few days its "Letters to the Editor" column was filled with messages, mostly from Georgians, opposing the execution.

"Death Row" Loses Youth For Hearing

MILLEDGEVILLE — (S N S) — Youthful Preston Cobb, Jr., was removed from Reidsville State Prison's death row Friday to appear at his hearing on a motion for a new trial after being convicted and sentenced to die for the slaying of a white 70-year-old farmer in Jasper County last June 1.

The lean 15-year-old Negro was led into the courtroom under guard and directed to a seat by his attorney. All eyes in the room focused on Cobb just as international attention has been focused on the youngster's fate, as he slumped his body down in the hardwood chair and gazed meekly at his surroundings.

The courtroom atmosphere and procedure during the hearing was typical of that found in most courtrooms not in Atlanta but yet in the State of Georgia.

Negro citizens were excluded from the first floor seats and watched the proceedings from the balcony box. Whites sat in the hall empty first floor benches with reporters, television cameramen and other officials seated inside the railing.

Atty. D. L. Hollowell defending Cobb was always just Hollowell or even "whatever his name is" when referred to by the white state's attorney.

DUTCH PAIR ATTEND HEARING; MEET YOUTH

A Dutch couple that arrived in Atlanta from the Netherlands on Thursday night to seek clemency for Cobb sat in the Baldwin County Courtroom and listened intently to the participants in this case.

Dr. B. W. Van Houten, a children's court judge in Arnhem, and Mrs. S. T. Diemer-Lindeboom, a member of the board of supervisors in Rotterdam and one time member of the Netherlands delegation to the United Nations, stated that they traveled more than 4,000 miles to this country, not as critics of American law and jurisprudence, but merely because of their grave concern about the possible execution of a 15-year-old boy.

They stated that the fact that Cobb is a Negro does not enter into the issues involved. "Our concern would be the same if he were a white or Asian boy," they said.

Dr. Vanhouten and Mrs. Diemer came representing volunteer organizations in Holland that had read of the young Negro boy in the foreign press. Dr. Vanhouten said "as we come here, we think we can speak for two million women and men in Holland" and "we hope only that interest in Holland can help prevent this boy from going to the electric chair."

Dr. Vanhouten told a group of reporters that in his country the death penalty has been outlawed for 100 years and that a couple in his homeland has willing agreed to raise Cobb if he is ever freed.

Mrs. Diemer, mother of four children, was delegated by the 14th General Assembly of the United Nations in 1959 to draft legislation for all nations in the care of and harming of children.

The General Assembly unanimously proclaimed the declaration of rights of the child which read in part: "whereas, the child by reason of his physical and mental immaturity, needs special safeguards and care" and all children without regards to race, sex, religion, property, birth or social origin shall be entitled to these rights."

Georgia law permits execution of persons 14 years of age and over and only the Georgia State Board of Paroles can grant clemency.

Mrs. Eleanor Roosevelt warned in her nationally syndicated column that there would be "world-wide feeling" against the scheduled execution. "I think there also ought to be a reaction in the whole of the United States against allowing any youngster to be electrocuted at the age 15, regardless whether his skin is white or black." Georgia Gov. Ernest Vandiver has received letters from all over the world seeking clemency for the condemned Negro boy.

The courtroom scene was typical for Georgia Friday but the things that transpired were seemingly oblivion to the teenaged defendant.

BOY'S CASE STIRS WORLD INTEREST

P. 52 The New York Times

Death Sentence in Georgia Fought by N. A. C. P.

By CLAUDE SITTON

Special to The New York Times.

MILLEDGEVILLE, Ga., Oct. 6—The slim, angular boy of 15 slumped quietly in the courtroom chair, his outsized arms and bony hands folded limply across his khaki slacks.

Now and then his heavily muscled shoulders tensed slightly beneath his tan undershirt. His feet twisted uneasily in soiled canvas sneakers.

If he was aware of his plight or the world-wide distress and anger it had aroused, this awareness was masked behind an almost drowsy expression. Little about him set him apart from the other Negro youths who tend the peaches, pimento peppers and cattle in this middle Georgia strip of the Old Plantation Belt.

However, the case of Preston Cobb Jr. has won world-wide attention. Only two things can save him from becoming the youngest person in Georgia's recorded penal history to die in the electric chair.

Lawyers Open Fight

The first is the legal battle he saw started here today by lawyers retained by the National Asscolation for the Advancement of Colored People. The other is the possibility that mercy will be extended by the State Board of Pardons and Paroles, the sole possessor of the clemency power.

Dude, as he is called, lived with his widowed mother and some of his eight brothers and sisters inan unpainted tenant house on a cattle farm near Hillsboro until last June. The hamlet is some forty miles west of here in Jasper County.

In return for their rent, board board and an occasional dollar on Saturday afternoon, they worked for the farm's white owner, Frank Coleman Dumas.

Mr. Dumas, 70 years old, was shotr and killed the night of June 1 as he sat reading in his living room. His body was found in a ditch beside a dusty country road some three miles away.

Boy Confessed

Dude, close and constant companion of the old farmer, was picked up the next day. He confessed. He gave as his only motive a seemingly minor dispute over fish that the farmer had given him.



Associated Press

DOOMED AT 15: Preston Cobb Jr., who was found guilty of murder. Case in Georgia is being fought.

The boy's mother has said she cannot believe the confession is true. A few whites in this area have also questioned whether the boy alone was involved.

Judge George S. Carpenter appointed J. Ben Warren, a white lawyer in Monticello, the county seat, to represent Dude.

The case went to an all-white Superior Court jury Aug. 16. The verdict came forty-five minutes later: guilty without mercy. Judge Carpenter had no alternative but to sentence the byo to death.

Mr. Warren conceded this week when reached by telephone that he had not requested a recommendation of mercy. He said he had told the jurors that they would write legal history by sentencing a 15-year-old to death, but that that was for them to decide.

Appeal Not Instituted

In capital cases in Georgia, defense attorneys almost without exception request a retrial upon conviction, then follow this up with an appeal. Mr. Warren sought neither.

Instead, he asked Judge Carpenter to dismiss him as Dude's lawyer. He explained that he would not "attack the judgment of this fine jury of representative Jasper County citizens by filing a motion for a new trial."

The execution was set for Sept. 22. Dude was taken to the Georgia State Prison at Reidsville and placed in one of the five unnumbered cells in death row near the electric chair.

Meanwhile, his mother, Mrs. Leatha Cobb, met some unsides until Oct. 26 to submit final arguments on the motion.

Mr. Hollowell's actions at the hearing indicated that the expected to seek relief in Federal court on civil rights grounds. He argued that no Negro had served on juries in Jasper County for at least eighteen years.

He also contended that white lawyers in this area would be reluctant, because of possible economic pressure, to raise constitutional issues in cases where the defendant was Negro and the victim white.

Support From Abroad

Some 100 spectators were at the hearing. Among theme were a Dutch man and woman who had journeyed here to try to save the boy from execution. They are B. W. Van Houten, a Children's Court jurge in Arnhem and Mrs. S. T. Diemer-Lindeboom, a member of the Board of Supervisors in Rotterdam.

Mr. Van Houten said they had with them a petion signed by 2,000,000 persons.

The wife of the slain farmer sat inside the railing with the prosecutor at the hearing. Asked whether she wanted Dude executed, Mrs. Dumas replied "I'd rather not discuss it."

Mrs. Cobb told reporters that her son was in good spirits.

"Momma, don't you all worry about me," she quoted him as saying. "Good will change things."

Special Deputy Exonerated In Killing Of Youth

Atlanta Daily Record

P. 1 Thurs, 10-17-61

Atlanta, Ga.

At a 4:30 hearing in Municipal Court Monday afternoon Judge James Webb exonerated a Fulton County special deputy of a murder charge in the fatal shooting of a 19-year-old youth at the Perry Homes Community Center Saturday night.

Archie Lincoln Byron, 33, of 1957 Detroit Ave., N. W., employed by the Fulton Detective Agency, told Judge Webb that he fired on Jerry Hand, 19, of of 1515 Drew Dr., N. W., Apt. 869, when the teenager attempted to hit him with a brick after he ordered him out of the Community Center when he failed to remove his hat.

Byron stated that he and several other special deputies were working a Saturday night dance at the Perry Homes Community Center when the trouble started.

He told Judge Webb, "I didn't want to hurt the guy. I did everything I could to keep from shooting him. I had no choice but to fire."

WITNESSES TELL CONFLICTING STORIES

Byron testified at the hearing that he had asked Hand to remove his hat four times and the youth refused to move it and finally he was asked to leave the Community Center.

Henry Barnes, 27, of 2221 Perry Blvd., Apt. 11, stated that "I started out of the door with Hand and Byron pushed him. I did not see a brick in Jerry's hand."

Dorothy Ware, 32, of 1177 Kerry Dr., Apt. 489, told the court, "Byron shoved my cousin out of the door and I did not see a brick and he didn't stoop for one."

Willie G. Williams, 38, of 404 Elm St., N. W., said that Hand used abusive language and said, "I run Perry Homes and it will take someone better than you to put me out."

The death of young Hand marked the second killing within a week involving a special deputy.

A 21-yearold Negro was killed on the roof of a downtown building in a burglary attempt October 8 by a white Fulton County special deputy who said he "stalked" his victim for several minutes before lodging a .45 caliber bullet in his head.

13c 1961

GEORGIA

Trial Today In Ambush Slaying

Atlanta Daily World
Atlanta, Ga.

By STANLEY S. SCOTT

Two youths have been scheduled to appear in Fulton Superior Court today and answer charges of murder before Judge E. E. Andrews. One is accused of the ambush slaying of his father and the other teenager allegedly fired two fatal shots into the body of an 18-year-old boy after an argument ensued at a party.

Wed. 5-10-61

Willie James Moye, 19, is charged with pumping three fatal shots into the body of his father December 18, 1960, after waiting for him in a clump of bushes as he returned home from a party with his wife.

Detectives C. J. Perry and Howard Baugh working out of the homicide division, after running down countless leads, jailed Moye Dec. 22, 1960.

The detectives quoted the victim's wife, Mrs. Tommie Field, as saying she and her husband, Myron Fields, 38, of a Haven St., S. E. address, had started up the steps to their home when she heard a shot ring out.

The officers stated further that the wife said, "My husband swung a camera at the assailant, but I could not see him because he was covered from sight by the bushes surrounding him."

Mr. Baugh stated that information they received indicated the shooting was the result of a robbery attempt.

MELVIN RUTLEDGE, 18, FACES MURDER CHARGE

Melvin Rutldge, 18, of 1115 Hunter Pl., S. W., will go on trial for the fatal shooting of Alford Eugene Roberts, 18, of 331 Henry St.

Officers J. O. Hull and H. H. Harper arrested Rutledge hours after the March 25 slaying after getting information of the alleged assailant from youths at the teen party, they said.

The officers said witnesses told them that Rutledge had had a fight with Roberts during a party earlier in the night at 34 Ashby St., N. W., and the victim hit Rutledge in the eye.

Roberts was pronounced dead on arrival at Grady Hospital as a result of pistol wounds to the chest and head.

Man accused of blowing up his companion

Baltimore Afro-American

GRAY, Ga. (ANP) — A 45-year-old man last week was charged with killing a 26 - year-old companion by "blowing him to bits" with 8,000 pounds of dynamite in a rock quarry where they worked at nearby Ruby.

Jeremiah Harold of Gordon, was indicted by a Jones County grand jury last week on charges of murder, burglary, three counts of arson and three counts of violating state dynamite laws.

Georgia Bureau of Investigation agents and Sheriff Holmes Hawkins declined to give details of events leading to Harold's arrest. They said their investigation was still under way.

Officers said Harold was indicted in the slaying of Robert Seabrook, 26, of Gray, who apparently was "blown to bits" when the dynamite was touched off in a shed at the Weston-Brooker Co. quarry. The blast shook homes miles away and damaged at least a dozen houses.

Bellhop Indicted In Hotel Slaying

Atlanta Daily World
Atlanta, Ga. P. 13c

By STANLEY S. SCOTT

A Duluth, Ga., farm-hand and an Atlanta hotel bellhop were indicted by the Fulton Superior Court Grand Jury Friday afternoon on murder charges.

Sat. 6-6-61

The 23-man grand jury indicted Louie Merritt, 52, of 832 Harwell St., for allegedly inflicting fatal stab wounds to the body of a fellow worker at a local hotel April 26.

The victim, identified as Robert Caldwell, of 325 Felton Drive NE, was admitted to Grady Hospital's emergency clinic at 2 p. m. and died at 9:23 p. m. the same night.

Hospital officials described the wounds as a deep laceration of the right chest, a stab wound of the left chest and a wound behind the left ear.

Before his death, Caldwell told police that he could give no reason why he had been assaulted at the hotel locker room, according to Homicide Detective C. J. Perry.

Perry said that the assailant said that he cut Caldwell in self-defense as the victim threatened him with a knife during an argument.

E. K. Watts, manager of the hotel where the stabbing took place, told police that the victim locked himself in the locker room and called upstairs for help.

CARD GAME ENDS WITH FATAL SHOOTING

Claude Burse, 53, of Duluth, Ga., and a resident of the Findley Farm, was returned a true bill charge in the shooting of Charlie Collins, 201 Church St., Duluth, Ga., April 17.

Witnesses told investigating officers that Burse shot Collins after the latter had refused to pay a $100 bet in a "Skin" game, police reported.

Collins was admitted to the Joan Clancy Hospital at Duluth, Ga., on April 17 and died April 30 from his wounds. The pistol entered the victim's right arm and lodged in the lower lobe of his right lung.

Charged In Fatal Beating Of Woman

Atlanta Daily World P. 1
Atlanta, Ga. Sat. 4-22-61

James Tell, alias "Randall," 47, of R-310 Hill St., S.E., was indicted by the Fulton County Grand Jury Friday afternoon, after being formally accused of brutally murdering 38-year-old Elizabeth Smith, by beating and stomping the woman to death.

Homicide Detectives M. H. Medert and G. A. Royal stated that they arrived at the Hill Street address April 13, 1961 and found the woman lying nude with multiple bruises about the body.

The officers stated that the victim had blood on her lips and chin, and heavy black marks over her eyes.

Police reported that witnesses told them that Tell and Mrs. Smith had been drinking on the afternoon of the slaying. and that they got into an argument before Tell allegedly stompped the victim about the head and body.

Grady Hospital doctors revealed that the woman's injuries included a ruptured liver, broken ribs, head injuries and internal hemorrhaging.

Tell's brother was electrocuted on April 5, 1956, after being convicted of killing his common-law wife and her daughter, and burying their bodies in the back yard at a Vine Street address.

Negro Charged In Blast Killing Denied Bail

The Atlanta Constitution
Atlanta, Ga.

Constitution State News Service

MILLEDGEVILLE — A Jones County Negro who faces a murder charge was denied bail Friday.

Sat. 5-6-61

Judge George F. Carpenter ruled that Jeremiah Harold, 45, would have to remain in jail until his trial comes up in August. Harold's lawyer, Al Jennings, said he is considering a federal habeas corpus appeal.

Harold is accused of precipitating an explosion at the Brooker and Weston rock quarry near Graham on March 19 and with the murder of a companion, Robert C. Brooks.

13c

Jones County Sheriff Holmes Hawkins said Harold admitted that he set off the blast to create overtime work for himself.

Trial of Macon, Ga., Deputy Who Killed Negro Is Delayed

The Pittsburgh Courier 9/7 Sec 2
Sept 30-07

MACON, Ga. — Bibb Superior Court Judge A. M. Anderson (who is quitting the bench Oct. 1 for another job) last Tuesday granted a postponement of the murder trial of Dodge County Deputy Sheriff Benjamin J. Eckles, from this week until October, because Sheriff Lewis F. Mullis of Dodge County was ill and unable to attend the trial in Macon this week.

Deputy Eckles of Eastman is to be tried for the fatal shooting recently of a Negro, Thomas N. Quarterman, 24, on a Macon street.

Pittsburgh Courier

IN THE SAME issue of the Macon daily paper which carried the story saying Sheriff Mullis—also of Eastman—was too ill to attend the trial due a week later, there was a front-page story of this same "ill" sheriff making a report of an investigatoin of a case in which a white man put both hands on a railroad track to let a passing freight train cut them off.

Yet a doctor gave his lawyer a certificate to the court saying he was ill and would not be able to attend the trial almost a week later.

Solicitor-Genral William M. West of Macon Superior Court told The Courier he is going to place the case at the head of the October term of criminal court. Mr. West called the killing unprovoked" and said the white man deserved to be punished.

Quarterman leaves a pregnant widow.—**TWA.**

Invalid Given 15 to 20 Years In Slaying of Wayne Farmer

JESUP — A 53-year-old invalid, who came into Wayne County Superior Court on a stretcher, was convicted of voluntary manslaughter Friday by an all-male jury which fixed his sentence at 15-to-20 years.

The jury deliberated slightly more than an hour before reducing the murder charge against bedridden Frank Guest and finding him guilty of voluntary manslaughter in the slaying of Delmer Lastinger, 43.

Guest's wife screamed when the sentence was pronounced and one of Guest's grown daughters fainted a few minutes later outside the Wayne County courthouse.

Guest himself moaned audibly as his stretcher was rolled out of the courtroom guarded by a half-dozen state patrolmen.

By BILL SHIPP
Constitution State News Editor

The star state witness Friday was frail, 12-year-old Gerald Lastinger who told, with tears streaming down his face, how he watched his father beg for his life a moment before he was shot to death in a cornfield near here last June.

The lad's testimony was a high spot in the emotion-filled trial which saw the state attempt to prove that Guest murdered Lastinger, the father of eight children, by "shooting him to pieces."

Guest was the only witness in his own defense. He was wheeled next to the jury box on a stretcher from which he said, in a sometimes inaudible whisper, that he killed Lastinger out of fear for his own life.

He said Lastinger had admitted "cutting the throat of my son-in-law's big old bird dog, and he threatened to do the same thing to me."

The case went to the jury at about 4 p.m. Friday.

The highlight of the emotion-filled trial came when slim, blond-haired Gerald Lastinger slumped forward in the witness chair and buried his face in his hands.

Sheriff John Clarence Reddish hurried forward and put his arm around the lad trying to comfort him after Judge Douglas F. Thomas declared a brief recess.

Gerald broke down while answering Sol. Gen. Jack Ballenger's questions concerning the death of his father.

Just before his father was fatally shot, Gerald said, "he threw up his hands and said to Mr. Guest: 'Please wait a minute, I got a houseful of kids.'"

RECALLS SHOTS

Gerald said his father already had been shot once when he pleaded for his life. He apparently was shot in the leg as he sat on his tractor in a cornfield. Gerald said he saw his father start to fall when the second shot was fired and he turned and ran.

Two more pistol shots were fired into Lastinger's body, the son testified.

In his unsworn statement to the jury, Guest, who said he was suffering from a serious back ailment which is causing the muscles of his leg to waste away, said he had been carrying an Army .45 in his belt because he feared that Lastinger would try to kill him.

He said he tried to be "good-neighbored" with Mr. Lastinger, but the man admitted to him that he cut his "son-in-law's big old bird dog and I'll do the same to you if you don't quit talking about it, you old —— of a——."

REPORTS THREAT

On the morning of the shooting, Guest said he was standing out in his yard with the pistol under his belt when he saw Lastinger motion to him to come across the fence into the cornfield and help him fix his tractor.

When Guest got across the fence, he said, Lastinger told him: "I've been waiting for six months to get you on my side of the fence and now I'm going to fix you."

Guest said that Lastinger started to get off his tractor with a knife and he pulled his pistol and shot him in the leg.

According to Guest, Lastinger said at this point: "We're both family men, let's try to settle this."

'LEAVE ME ALONE'

"That's all right with me, just leave me alone and let me out of your cornfield," Guest said he told the 42-year-old sharecropper.

When Lastinger took a "swipe at me with the knife," Guest told the jury, "then I shot at him again and I started to fall backwards and I don't remember what happened after that."

In his closing argument to the jury, Sol. Gen. Ballenger asserted that Guest was not as sick as he appeared and that he lay in ambush for Lastinger because "he wanted to shoot him to pieces. . . he wanted to kill him slowly . . . he wanted him to know who was killing him."

CHARGES TERROR SWAY

Ballenger said the angle of the bullet showed that after Lastinger fell, Guest walked around his body and shct him twice more.

Defense Attorney Bill Zorn admitted that his client "may have acted a bit hastily" in shooting Lastinger in the leg. But Guest, because of his illness, lived in a "sphere of fear" and knew he was not able "to defend himself against attacks by even a kitchen mouse."

Zorn said Guest only wanted to be "good neighbors" with the people who lived around him, but that he feared that a man who would kill a dog by cutting its throat with a pocketknife might also be capable of killing him.

The dog was slain, according to evidence, because "it got under the chicken house and scared chickens."

Deputy Cleared In Killing Of Macon Negro

MACON, Ga. — (UPI) — Deputy Sheriff Benjamin Jackson Eckles Wednesday night was found innocent of murder in the fatal shooting of Negro Thomas N. Quarterman Aug. 11.

The all-male jury deliberated about three hours before returning the verdict at 10:03 p. m. It got the case at 5:35 p. m. and took an hour and one-half out for dinner.

Eckles, 38-year-old Dodge County Deputy from Eastman, said in an unsworn statement that he had shot the Negro in self-defense and that he had not felt guilty of any crime at the time.

After his statement, Defense Attorney W. O. Cooper and Sol. Gen. William M. West began their closing summaries. Cooper had presented a number of witnesses to testify to Eckles' good character.

Macon's Record Kept 'Clean'

Pittsburgh Courier p. 5

Another White Slayer Freed

Sat. 12-9-41

MACON, Ga.—Negroes in the jim crow gallery of the Ribb County Courthouse repeated a September, 1959 performance when they wept openly as an all-white, all-male jury maintained Ribb County's eternal record of never punishing a white man for the murder or rape of a Negro.

Pittsburgh Pa.

The 12-man jury of men "tried and true" freed Dodge County Deputy Sheriff Benjamin Jackson Eckles, 38, of the fatal shooting of Thomas N. Quarterman, 24, a Negro early in the morning of last Aug. 11, after three hours of deliberation of a trial that lasted three days.

The husky six-foot-plus, mean-looking Dodge white man took the stand and said Quarterman had attemted to rob him of a cheap wrist watch which he said was torn from his wrist. The watch was found in his pocket. The killing took place on a down-town street near a Negro "bright lights" section and just a block from Macon city hall and police headquarters.

SOLICITOR-GENERAL Wil-liam M. West, who made a bril-liant prosecution and produced positive veidence, was a disappointed man, as the white jury returned the usual verdict in major cases whre a Negro is the victim and the white man the accused. He was praised for his conduct of the case by several of the top-flight Negro citizens of Macon who attended the trial consistently from its very beginning. The defense lawyers, W. O. Cooper Jr., a race hatist, and Russell Ross, "struck" all the intelligent whites who appeared on the jury list. There were no Negroes on this jury list.

The performance duplicated a September, 1959 trial of a young white man accused of raping a 15-year-old Negro baby-sitter who was a virgin and had never been with a man. Mr. West prosecuted that case also. In it Negroes wept in their "buzzard's roost" after the verdict was announced. That white man, a boyfriend of the girl's employer, said he told her he would give her $5 for relations and that afterwards he found he had a $20 bill and "she didn't have any change." The all-white, all-male jury, set him scot free.

ECKLES ADMITTED shooting Quarterman with his .38-calibre pistol. Macon police said he was under the influence of liquor but was not drunk enough to be arrested for drunkenness.

Two highly respectable young Negro women who were with Quarterman on the night he was killed, were eyewitnesses to the crime at close range. They said Eckles, drunk and staggering, approached them and asked Quarterman if he was talking to him. When Quarterman said he was not, the white man hit the young Negro Navy vet with his fist. Quarterman hit him back, then Eckles shoved him and drew his pistol and fired one shot into Quarterman's stomach. He died on the sidewalk where he fell.

■

ONE OF THE YOUNG ladies ran. The other girl, Doris Schofield, returned before the officers came. Miss Schofield and Mrs. Catherine Solomon both testified at the trial and their testimony was not refuted by any evidence offered by the defense, other than Eckles' unsworn statement, which does not permit any cross-examination under the silly 1896 Georgia law.

Slayer Of Officer On Trial Tuesday

The accused slayer of a white Atlanta policeman is scheduled to face trial on murder charges Tuesday morning in Fulton County Superior Court.

The defendant in the case will be George Gray, 35, of a Northside Dr., N. W., address. He was arrested November 9 following a blazing gun match at a Northside Dr. eatery that ended with the death of a policeman and the wounding of Gray.

Gray will stand trial charged with killing Patrolman H. W. Dye, a 14-year veteran police officer who lived at a Sylvan Rd., S.W. address.

Dye was felled by a .38 calibre bullet that smashed in his upper left chest.

Gray himself was shot and wounded three times by the pistol fire of Dye's partner, Patrolman J. R. Weldon. He was treated at Grady Hospital for his injuries at the same time the slain officer was being pronounced dead on arrival at the emergency clinic.

The shooting erupted at an eatery located at Northside Dr. and Simpson St. on November 9 when Dye and his partner, Weldon, went there to look for Gray on the complaint of his mother.

Negro Admits Bludgeoning of DeKalb Woman

A youthful funeral home employe Thursday admitted he slugged a DeKalb county woman with a shotgun after being surprised as a burglar in the home, police said.

Officers said Frank Cook, 23, Negro, was found hiding under a bed in the home of a brother on Mortimer Street, SE. He was taken into custody on two DeKalb warrants charging assault to murder and burglary.

Meanwhile, the victim, Mrs. E. G. Beyerle Sr., of 2511 Young Road, Stone Mountain, was reported in good condition at Emory University Hospital. Officers said Mrs. Beyerle suffered head injuries from blows inflicted with the shotgun.

Cook had shaved off a beard and changed clothing after hearing a description broadcast on the police short-wave radio, officers related.

Atlanta's First Negro Police, Father of 6, Slain on Duty

ATLANTA.—(ANP)—A 10-year veteran of the Atlanta police department who was among the first Negro officers to serve with the police force here, was slain in the line of duty.

But Patrolman E. C. Mundy, 39, married and the father of six children, got his man anyway. Though already wounded by the man he was investigating, Joe Louis Pass, 25, Mundy pumped five fatal bullets into his assailant's body.

Mundy and his partner, Patrolman H. H. Hooks, were answering a call reported as a burglary at the scene where the shootings took place. Witnesses told the officers a burglar was in the apartment. Mundy went to the front door while Hooks checked the rear of the apartment.

Pass, estranged husband of the woman who lived in the apartment, waited until Mundy had knocked at the door several times before opening it. Mundy entered, apparently still believing he was investigating a burglary. However, police theorized Pass was waiting to ambush his wife.

As Mundy began searching the suspect for weapons, Pass brought up a .22 caliber revolver and fired twice point blank at the officer, police said. One bullet lodged inside a book the officer carried in his breast pocket, but the second struck him in the heart.

Conceals Small Weapon

Police believed Pass had concealed the small weapon in his hand. Mundy, regarded as on of the fastest drawing policemen on the Atlanta force, immediately returned the fire, striking Pass five times in different parts of his body.

Pass ran from the apartment building but collapsed at the entrace. He lived a while but was later pronounced dead on arrival at Gradv hospital.

Mundy, too, lived until other policemen swarmed the area in answer to a help call, but he was unable to speak whe Hooks and other police officers reached him. He also was pronounced dead at Grady hospital.

Atlanta's first Negro officers joined the force in 948. Mundy, though added in 1950, was still considered as being among the first of his race to serve the city's police department. He was highly regarded by fellow officers.

Night Watchman Dies Of Bullet Wound At Works

Jesse Wimbish, 31, of 746 Dunkirk St., N. W., night watchman at London's Metal and Iron Works, 897 Adamson St., S. W., was found by two white men Saturday in the Iron Works wash room with a fatal pistol wound in his neck.

Wimbish, father of six children ranging in ages from one to thirteen, lay mortally wounded in a blood pool when investigating detectives J. C. Smith and G. H. Christian arrived on the scene.

Detective Smith stated that "two white men arrived at the Iron Works scrap yard and knocked on the door, but got no response. They noticed the door open and lights on inside, and walked in to discover the body."

The men in a moment of fright, suspecting a robbery or worse, ran out of the building and two blocks down the street, they called the police, detective Smith said.

When police arrived on the scene, Wimbish had managed to crawl from the wash room to the porch on the outside, but time had run out and the watchman was dead.

WODOW'S STORY

Mrs. Wimbish, when contacted by this reporter stated, "Several people had seen my husband washing his car about 5 p. m., and he usually would take off his holster when washing his car. When questioned about circumstances leading to his death she further stated that "from preliminary investigation, it seems as though he had put his gun holster on top of his locker in the wash room which is about as tall as he is. When he reached for his revolved it must have discharged the fatal shot."

The weapon was found on the floor beside Wimbish's locker in tact in his holster Further investigation shows that the plug-in phone cord was blood stained, indicating that the dead man was trying to possibly summon help. Police stated that ballistic reports show that the death bullet came from the victim's gun.

Augustan Is Beaten To Death

Constitution State News Service

AUGUSTA — A one-armed Augusta businessman was found beaten to death in woods near his resort cabin just across the South Carolina line, police said Tuesday.

The body of Eugene P. Hoke Jr., 32, was found by his mother, Mrs. E. P. Hoke Sr., about 25 yards from his cabin in a remote section of Edgefield County, S.C.

Mrs. Hoke said her son had been missing since Thursday. Hoke was a co-owner and organizer of Micro-Filming Company of Georgia, Inc.

The time of Hoke's death has not been established. Officers said he had been beaten in the face with a blunt instrument. His car was found parked near the cabin.

Edgefield Sheriff C. R. Jackson said several persons were questioned Tuesday in connection with the slaying, but the motive has not been established. No arrests have been made.

Officers said the road leading to Hoke's cabin has been impassable since Thursday.

Mrs. Hoke and a Negro employe were searching for Hoke Monday when they came upon his body.

Hoke, who lost an arm in an automobile wreck about 10 years ago, established the micro-filming business here last year with the aid of two other partially disabled partners. Hoke's wife died several years ago.

The dead man was a former Air Force major and served as a pilot during World War II.

Gordon Man Held For Murder In Quarry Explosion

GRAY, Ga. — (UPI) — A 45-year-old Gordon, Ga., Negro was held in Jones County jail here on Wednesday pending a preliminary hearing on charges of murder, burglary, felony and arson in connection with a gigantic rock quarry explosion.

Jones County Sheriff Holmes J. Hawkins said he arrested Jeremiah Harold Tuesday, shortly after a Jones County grand jury returned a surprise indictment charging Harold with the murder of another Negro believed blown to bits in the March 15 explosion.

Hawkins said no bond had been set and no date had been scheduled for the preliminary hearing.

"We don't even know if he will asked for a preliminary hearing," the sheriff said.

The grand jury indictment was not expected. There had been no announcement the jury was even considering the case.

The explosion, charged by four tons of dynamite, jarred stores and homes within seven miles of the Western and Brooker Granite Quarry here. Shortly after the explosion it was learned that Robert Seabrooks, 25, an employe at the quarry was missing. A search of debris turned up small pieces of a human body. Hawkins said he could not open a motive for the alleged murder.

Explosion-Slaying Laid to Quarry Man

Constitution State News Service

GRAY—A 45-year-old Negro was charged Tuesday with killing a 26-year-old companion by "blowing him to bits" with 8,000 pounds of dynamite in a rock quarry at nearby Ruby four weeks ago.

The Negro suspect, Jeremiah Harold of Gordon, was indicted by a Jones County Grand Jury Tuesday on charges of murder, burglary, three counts of arson and three counts of violating state dynamite laws.

Georgia Bureau of Investigation agents and Sheriff Holmes Hawkins declined to give details of events leading to Harold's arrest. They said their investigation was still under way.

Officers said Harold was indicted in the slaying of Robert Seabrook, 26, Negro, of Gray, who apparently was "blown to bits" when the dynamite was touched off in a shed at the Weston-Brooker Co. quarry. The blast shook homes miles away and damaged at least a dozen houses.

Officers have not yet found a motive for the dynamiting, which has mystified this area for the past month.

Bits of bones and flesh were found in the area of the quarry. Sheriff Hawkins said he believes they are the remains of Seabrook.

Both Seabrook and Harold were employed by the quarry company.

Youth Dies Of Pistol Wound Near Library

The quiet and serenity of the Hunter Road area was disrupted briefly early Friday afternoon by the ring of gunshot fire that resulted in the death of a white teen-ager.

Homcide detectives Merideth and Royal reported that 18 - year old Albert Brock apparently fired a 22 calibre bullet into the area near his heart while talking with his girl friend in a public telephone booth at 1099 Hunter Street near the West Side Branch of the Public Library.

The detectives said that the victim's Brother, 16 - year -old Cecil Brock, said that he and Albert were working the area in a bread truck, when the victim told him he was going to phone his girl friend.

A short time later Cecil said he heard a shot and saw his brother fall out of the phone booth. He said he called police and handed over the weapon.

Traffic in the area was tied up for a considerable length of time.

Two Justices Feel Entire Procedure Unconstitutional

By CHARLOTTE G. MOULTON

WASHINGTON — (UPI) — The Supreme Court nullified a Georgia murder conviction Monday because of unique state law which deprived the defendant of his attorney's help in making an unsworn statement to the trial court.

The court took sharp issue with Georgia's trial procedure which calls on a defendant to make the unsworn statement to the judge and jury but denies direct examination by his counsel unless specifically allowed by the judge.

Mondays unanimous ruling held that Billy Homer Ferguson, 22, was deprived of his legal rights when he was sentenced to death for the 1958 murder of a Douglasville, Ga., gift shop owner.

Ferguson, described as subnormal mentally, was left "speechless and tongue - tied when he made the statement at his trial, his attorney told the Supreme Court.

Two of the justices - Tom Clark and Felix Frankfurter - expressed belief the entire procedure was unconstitutional. But speaking for the majority, Justice William Brennan confined the issue to the fact Fergusons attorney could not question him or help bring out his views.

Brennan said: "The state of Georgia is the only state - indeed apparently the only jurisdiction in the common - law world - to retain the common - law rule that a person charged with a criminal offense is incompetent to testify under oath in his own behalf at his trial.

Under Mondays ruling, Ferguson, who confessed to the murder, would go free unless a new trial is initiated.

Sniper's Bullet Kills Youth As He Heads Home

An unknown sniper's bullet snuffed out the life of a 17-year-old youth Monday night to raise the murder toll to three deaths since Saturday morning.

The latest victim is John Albert Beasley of 4430 Middleton St., S. E., ripped in the chest with a bullet wound while walking home with other youths from a talent contest at Price High School.

Homicide Detective W. H. Medert said that the victim's cousin, Ralph Beasley of the same address, told him that as they were walking home a shot rang out and his cousin fell to the pavement.

YOUTH, 18, SLAIN AFTER TEEN PARTY

Alfred Eugene Roberts, 18, of 331 Henry St., was fatally wounded with a pistol late Saturday night after a teen-age party at an Ashby St., N. W. address.

Officers J. O. Hull, and H. H. Harper arrested Melvin Rutledge, 18, of 1115 Hunter Pl., S. W., after gathering information and a description of the alleged assailant from youths at the party, they said.

Pronounced dead on arrival at Grady Hospital early Saturday morning was Willie James Brinkley, 31, of 858 Thurmond St., N. W., after having been shot in the left chest with .25 caliber Spanish automatic pistol.

Investigating officers said that they arrived at a restaurant on Nelson St., S.W., and found Brinkley sprawled on the floor fatally wounded.

The perpetrator in the shooting is still being sought by the police department.

Youth, 18, Slain After Teen Party

By STANLEY S. SCOTT

Alford Eugene Roberts, 18, of 331 Henry Street, was fatally wounded with a pistal late Saturday night after a fist fight ensued during a teen-aged party at 34 Ashby St., N.W.

Officers J. O. Hull and H. H. Harper arrested Melvin Rutledge 18 of 1115 Hunter Pl. S. W. at 1:20 Sunday morning after gathering information and a description of the alleged assailant from youths at the party, they said.

Police stated that witnesses told them that Rutledge was the person in the basement at the time of the party and that he was the one hit in the eye by the victim.

They said further that an eye witness told them that he had seen Rutledge with a gun in the basement during the party, and that he had attempted to shoot another fellow earlier in the night.

Shirley James a resident of the Ashby St. address told Homicide Officers E. F. McKillop and J. E. Helms that "the Booker T. Washington senior class was sponsoring the party at her home. She said that Roberts and Rutledge got into an argument and some blows were exchanged. Rutledge left the party and returned."

Witnesses said that they heard a shot outside, looked outside and saw the assailant run as the victim fell to the ground.

Officers said no weapon had been found at Rutledge's residence during his arrest. They said that Rutledge stated that he was at the party during the shooting, but denies being the assailant.

VICTIM NOT STUDENT AT BTW; PARTY NOT SANCTIONED — OFFICIAL

Mrs. Ann L. Jackson, counselor for junior and senior classes at the Booker T. Washington High School, stated that Roberts has never been a student at Washington High School is reported by the local daily papers.

The school official further said that the so-called "senior class party" was not authorized or sanctioned by the school.

Grady doctors said that Roberts was dead on arrival after being shot in the chest and right side of his head.

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Blown-Up Photos Face Murder Jury

Accused Killer Repudiates Starved Rock Confession

OTTAWA, Ill., Feb. 14—(UPI)—Blown-up photographs of the bodies of three women, clubbed to death in a cave at Starved Rock State Park, were brought today into the courtroom where the accused killer is on trial.

Deputy Sheriff William Dummett identified each of the 25 enlargements. He said he took the pictures last March 16, the day the bodies of the three Chicago suburbanites were found piled up side by side in a snow-filled cave in dead-end St. Louis Canyon.

Chester 'Rocky' Weger, the husky ex-Marine charged with the triple slaying, stared straight ahead as the pictures were introduced as evidence.

He showed no emotion as Dummett told the jury of seven women and five men what the killer had done to the three Riverside, Ill., matrons, Mrs. Lillian Oetting, 50, Mrs. Mildred Lindquist, 50, and Mrs. Frances Murphy, 49.

Two of the women were lying side by side with their head pointed at the cave entrance, Dummett said. The other lay apart to them in the opposite direction. They had been beaten unmercifully and their clothing was torn.

Half buried in the snow, Dummett said, were a camera and a pair of broken binoculars. The state contends that Weger used a tree limb, the camera and the binoculars to club the women to death after he trapped them in the canyon on March 14.

Weger, 21-year-old father of two children, denies the charges. He has said repeatedly that he confessed the triple slaying after his arrest last November only because he was threatened with certain death in the electric chair if he didn't.

Weger was a dishwasher at the Starved Rock Lodge at the time the three women, all socially prominent wives of Chicago business executives, arrived for a holiday. In his repudiated confession, Weger said he tried to rob the women at the entrance to St. Louis Canyon, herded them back to the cave, and beat them to death when Mrs. Murphy turned on him.

Seeks End Of Death Penalty

SPRINGFIELD (AP)—A bill abolishing capital punishment in Illinois will be introduced in the General Assembly when it reconvenes Jan. 31. GOP Senator Robert R. Canfield, Rockford, said Wednesday.

His measure would substitute sentences from 14 years to life for the death penalty with the exceptions of murder during a robbery, rape or kidnaping, a crime against children, or a crime committed in an attempt to avoid arrest, all which could result to death sentences.

An inmate already in prison for committing one murder, who slays guards or prison officials, could also receive the death penalty.penalty.

Effort to abolish capital punishment have failed to pass the General Assembly a number of times in the past.

Another bill introduced Tuesday would regulate the distribution of deadly weapons, requiring licensing by the Public Safety department and daily reports on sales, loans or gifts of such weapons.

PATROL BOY, 15, SLAIN BY PUPIL

Stabbed Near School on West Side

A 15 year old school patrol boy on his way to crossing duty was stabbed fatally yesterday in front of scores of pupils leaving Our Lady of Sorrows school, 3121 Jackson blvd.

The knifing victim was William Bryand, 15, of 3537 Lexington st. He died in county hospital soon after the attack on him by Cornelius Alston, 15, of 3023 Fifth av.

Didn't Know Victim

Bryand and Alston, tho both were 8th graders in the same school, did not know one another. They attended separate classes.

Alston, who was arrested later in his home by Policemen Robert Hansford and Stanley Zablalowitz, said Bryand had beaten his brother, William Alston, 14, Wednesday night.

When Cornelius heard of the assault, he said he went to the school, where he had been a truant for two days, and waited outside for pupils to come ont. He had a friend point out Bryand to him.

Uses 12 Inch Knife

He told Capt. Patrick Flynn of the Warren avenue station that when he asked Bryand why he had beaten up William Alston, Bryand made a move as tho to pull a weapon from his clothes. Alston stabbed him in the abdomen with a 12 inch bread knife he had brought from home.

Capt. Flynn said the knife was found under a bed in the apartment of Alston's sister, Constance Alston, at 3200 Monroe st. An open switch blade knife was found in the pocket of the dead boy's jacket and a closed straight razor was found in his trouser pocket.

Capt. Flynn said Alston was a member of the Vice Lords, a teen-age gang on the west side, and been arrested previously for disorderl conduct stemming from gang fight.

ILLINOIS

Teacher slain in Chicago grade school

CHICAGO, April 21—(AP)—Police searched a Southside district today for the slayer of a 45-year-old teacher and mother of six who was fatally stabbed in a book storage room of an elementary school.

The body of Mrs. Josephine Keane, a supervisory teacher at the Lewis-Champlin School, was found in a pool of blood in the first floor book room shortly after classes were dismissed yesterday afternoon.

Police said she had been stabbed seven times, apparently with a small pen knife. They said her clothing was disarranged and theorized she had been slain in resisting a sex attack. Police said it was not determined immediately if she had been sexually molested.

A CORONER'S physician estimated she had been dead at least six hours before the body was found. School officials said Mrs. Keane was last seen by Mrs. Ruth C. Becker, assistant principal, about 9:30 a.m. when she entered the book storage room.

Police said a search for Mrs. Keane was started after she failed to leave school to drive home with other teachers. They passed the book storage room several times during their search of the building because it always was locked. A janitor unlocked the door and the victim was found.

Police said there appeared not much evidence of a struggle in the 10 by 20 foot room. Mrs. Keane's key to the room was missing, but her purse was at her side.

MRS. KEANE, whose husband, James, is a railroad office employe, supervised five classrooms at the school, which has 620 pupils, mostly Negroes, in grades one through five.

Mrs. Keane, white, resumed work as a teacher several years ago after raising a family. She was the mother of three daughters and three sons ranging in age from 9 to 18.

The school is in a predominantly Negro district, with the Princeton Continuation School and the Englewood High School adjacent.

Woodsman Convicted In State Park Killing

OTTAWA, Ill., March 3 (AP)—Chester Otto Weger, a lanky woodsman, was convicted of one of the three Starved Rock murders today, his 22nd birthday, and his punishment was fixed at life imprisonment.

Weger, who had been confident he would be acquitted, took the verdict without showing any emotion.

Weger could have been sent to the electric chair, as the state demanded, for the murder of Mrs. Lillian Oetting, 50. Still pending are indictments charging him with murdering Mrs. Oetting's two companions.

Weger sat with hands folded in his lap, head atilt and face expressionless. Later, he told newsmen. "I know I was framed. I want to appeal all the way."

The defense asked and was granted a stay of sentence.

State's Atty. Robert E. Richardson said, "The important thing is, they found Weger guilty. The penalty, of course, was up to the jury."

The killing for which Weger was tried was that of Mrs. Oetting, wife of George Oetting, general supervisor of internal audits for the Illinois Bell Telephone Co.

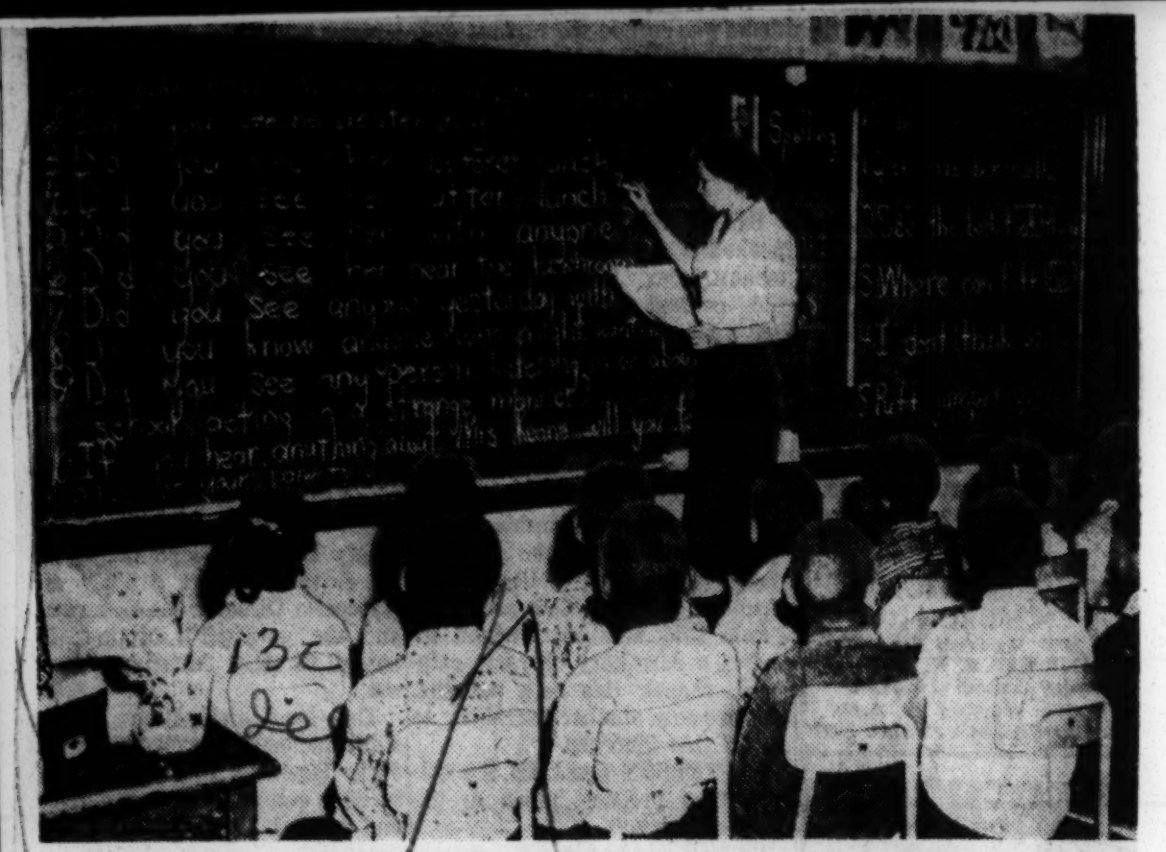
The other victims in the bludgeon slayings were Mrs. Frances Murphy, 47, whose husband, Robert, is vice president and general counsel of Borg-Warner Co., and Mrs. Mildred Lindquist, 50, wife of Robert, a vice president of the Harris Trust and Savings Bank, Chicago.

The three women, neighbors in Riverside, drove the 97 miles southwest for a park holiday on March 14, 1960. They were slain that afternoon while exploring St. Louis Canyon, a steep - walled dead-end gorge at the west end of the park.



—AP Wirephoto

Chester Weger



Associated Press wirephot

TEACHER USES BLACKBOARD TO SEEK CLUES
. . . Pupils study grim lesson before one confssed slaying

Faces murder charge—

Pupil, 14, admits stabbing teacher

CHICAGO, April 22—(AP)—A Negro fifth-grader at an elementary school has admitted the fatal knifing Thursday of Mrs. Josephine Keane, 45, in the South Side school's book storage room.

The state's attorney's office identified the youth Friday night as Lee Arthur Hester, 14, one of eight children of Mr. and Mrs. Emmette Hester. The Lewis-Champlin School is across the street from their frame home.

The body of Mrs. Keane, a supervisory teacher and mother of six, was found in a pool of blood in the locked storage room after classes were dismissed Thursday. She had been stabbed seven times.

Capt. William L. Coesfield, who took Hester's oral statement, said the youth apparently killed the teacher because he was piqued at losing an assignment helping her carry books. He lost the job when he was transferred to the school's afternoon sessions.

A CRIME laboratory report said bloodstains, lipstick and hair found on the youth's clothing linked him to the slaying. He is being held without charge.

"The boy will be charged with murder," Capt. Coesfield said, "and held in the juvinile home until he appears in court."

Hester also admitted raping Mrs. Keane. "Arthur didn't seem remorseful," the police officer said, "and he certainly didn't cry while he made his confession."

The knife was not found. The youth said he dropped it "in an alley somewhere." He said he got lipstick on his collar when he bent over the woman to see if she was still breathing.

The boy's father is a laborer on a garbage truck.

The youth was suggested as suspect by a fifth grade teacher, who said he was a slow learner and three grades behind.

Mrs. Keane, white, resumed work as a teacher several years ago after raising a family. Her children range in age from 9 to 18. Her husband, James, is a railroad office employe.

Steelworker Runs Amuck, Kills 4 Fellow Employees

Felled by mill guard after spree

GARY, Ind. — (ANP) — Funeral services were held for Arbie P. Davis, 29, who was slain last week after killing four fellow workers at a Gary steel mill.

Davis, a laborer with a grudge, was armed with a .32 caliber revolver and 62 rounds of ammunition when he launched his killing spree. Angered because he was scheduled to go before a plant official of the U.S. Steel Corporation sheet and tin mills to be reprimanded for shirking his duties, he shot and killed his foreman, another superior and two other employees of the plant.

* * *

DURING THE 25-minute reign of terror, he shot and wounded three other men, two may die. A plant guard killed Davis with a single srot as he tried to shoot his way out of the huge steel mill plant.

He had been employed by the company for six years and was known as a quiet, hard-working, non - drinking family man with a wife and two children. His wife, Lenora, and the children survive.

Ironically, one of the foreman Davis killed was known as his good friend, Joseph Guyden, 37. Guydon gave him a ride to work on the day of the killings.

The other dead are Edward Donald Moran, 46, Hammond, Ind., track gang repair foreman; Neal Wolfrath, 48, Gary, a metalurgist, and Royal Rutt, 25, Gary, a pant management trainee and recent college graduate, all white.

Ciritcally wounded by the berserk Davis were Louis Massa, 51, Gary, an instrument repair general foreman, and David Schaefer, 29, of Griffith, Ind., a secretary.

Davis had been reprimanded by his track gang repair boss, Guydon, for loafing on the job. When David talked back, Guydon ordered him to report to Massa's office at 8 a.m. the following day for disciplinary action.

* * *

MRS. LENORA DAVIS, the 21-yar-old widow, after learning of the tragedy, said:

"I didn't even know he had a gun and I didn't know he was having trouble at the plant. He never told me much but he was a good man.

"He went to Sunday School every week. He kissed me and the children before he left for work, just like he always did."

Witnesses said David was matter-of-fact, almost placid on his mission of killing men. He paused to tell employees with whom he had worked at railway track repairs in the huge plant:

"It looks like you're going to get a new boss. . . . I've just host five men."

500 At Rites For Gary Mill Hand Who Slew 4 At Plant

By ADOLPH J. SLAUGHTER

Although the lives of four men were mercilessly snuffed out during a crazed firing rampage by Gary Steel mill hand Arbie Davis, more than 500 mourners attended his funeral Saturday, at a small Gary church. From 20th ave. Many felt they were at the final rites of a martyr.

Arbie, "a quiet man" of just 28 years, who died in the town of his birth, was "put away" with all the pomp and Christian dignity that little Saints Home Church of God in Christ could muster.

Bishop C. E. Bennett, the church's tall and stately pastor, eulogized on the theme: "Teach us to number our days so we may apply our hearts to wisdom."

'GOTTEN EVEN'

His message was clear. Arbie had "gotten even" with all of the men at the Gary Sheet and Tin mill, a division of U.S. Steel, who had made him suffer for the six years of his employment, but he had not applied his heart to wisdom.

Felled with unsuspecting bullets from a snubnose revolver was Joe Guydon, 37, of 1015 Central dr., Davis' track repair gang boss and the only Negro killed; Donald Moran, 46, of 7513 Olcott, Hammond, track repair foreman; Royal Rutt, 25, of 811 Floyd, Gary, a management trainee, and Neal Wolfrath, 48, of 610 Indiana, Gary, a metallurgist.

Wounded during Arbie's death spree were Louis Massa, 51, of 1431 W. 56th ave.; a foreman; David Shaefer, 29, of 3680 Calhoun, and Gerald Myers, 48, of 1015 Linden Hill dr.

Massa, who is expected to lose an eye as a result of the shooting, and Shaefer, were in critical condition at St. Mary's hospital, Gary. Myers, with a bullet wound of the left arm, was in fair condition.

Young Arbie, maddened at a bawling out he had received for loafing Tuesday morning, Oct. 10, (the day of the shootings) in Massa's office, fired at two more men as he attempted to leave the plant, but missed. Plant guard Chester Merida, 63, who said he had not fired a gun in 30 years, killed Arbie with one bullet as Arbie was leveling his pistol at another plant guard.

'PUSHED AROUND'

Mourners at Arbie's funeral said he had been "pushed around" by Guydon, Massa and Moran for a long time.

The young man, father of two small girls, had worked at the mill since his discharge from the Army in 1955. His friends said he had learned all of the jobs connected with his work and had repeatedly requested a transfer to another unit, but was always denied.

Guydon was "a pusher," they explained, (a man, not a foreman, but appointed by a white foreman to stand over the men in the gang and make them work). "He was worse than the foreman," Arbies's friends cajoled.



ARBIE P. DAVIS

Members of Arbie's track gang sent a floral wreath expressing their sympathy. Some, attending the funeral, stated that discrimination at the plant was rank and they were not sorry about the deaths. "Arbie brought it all to a head," they mused.

But Bishop Bennett said it didn't have to be. "A man who carries a gun is asking for trouble," he preached.

Arbie lived with his father, Charles, 68, a retired steel mill employee, his wife, Leonora and their children, Cathy Jean, one, and Nadine, three months, in a four room flat at 2406 Industrial blvd., Gary.

He played football, ran track and was a boxer at Roosevelt high school from where he graduated in 1952. His brothers, Verdell, 37, Earnest, 35, and Carlester, 30, said Arbie was a 1951 Golden Glove champion. Their mother died 10 or 12 years ago.

Davis's neighbors are all members of the Gary Urban League Block Club unit No. 37. They all live on the 2300 and 2400 block of Industrial ave.

"Arbie was a good natured person who would rather give than receive," they claimed. "He was a very quiet person who never disturbed anyone. He was one of the nicest persons you could meet," they said.

But Arbie was quietly laid to rest in Gary's Fern Oak cemetery with the words of Bishop Bennett ringing in his mourners' ears, sounding his epitaph:

"The spirit that goes with a gun is murder."

The Afro American P. 19
Baltimore, Md
Sept. 10 21-61



LABORER KILLED — A police officer takes shells from the dead body of a steel mill workman, identified as Arbie Davis, 29, after he was shot and killed by one of the guards at the Gary Sheet and Twin Mill, a subsidiary of U. S. Steel in Gary, Ind. Plant officials said the workman killed four men and wounded three others in a wild shooting spree through the plant, following his suspension for talking back to his boss.

13c 1961

JAMACIA (WEST INDIES)

Jamaica Hangs 2 New York Negroes

KINGSTON, Jamaica, March 29 (UPI)—Two American Negroes, William Jeter and Eldred Morgan of New York, were hanged today for complicity in the murder of a Jamaican member of a cult which planned an armed insurrection here.

They were the third and fourth members of the so-called Ras Tafari cult, a back-to-Africa movement, to be hanged this week. Another American, Reynold Henry, and a Jamaican, Albert Gabbidon, were executed yesterday.

Henry was a ringleader of the plot. He had confessed he was recruiting an army in Jamaica to "liberate" Africa. A New Yorker, Henry was a member of an "Afrika Corps" there.

The four executions followed a week of vain appeals to the governor.



GRAND JURY WITNESSES - Waiting to be called last week by the Orleans Parish Grand Jury for testimony in the case of Allan Bruce Foster, the 11-year-old boy who was fatally shot by police May 29, top row, left to right, are Henry Watson, Mrs. Annie Wells, Mrs. Annie Hall and Mrs. Helen Holloway. Bottom row, Thomas Foster, father of the slain boy, and three unidentified persons.

Call 2 'Eye Witnesses' To Testify

The Orleans Parish Grand Jury Wednesday opened its investigation into the May 29 fatal shooting of 11-year-old Allan Bruce Foster, 1956 Perdido Street, by one of two New Orleans police officers who were investigating a burglary.

Numerous witnesses received subpoenaes last weekend to appear before the Grand Jury at 2 p.m., Wednesday.

The New Orleans NAACP, Arthur J. Chapital, Sr., president had requested that District Attorney Richard A. Dowling present the matter to the grand jury to determine if there was any "improper police procedure" in the slaying.

The boy, son of Mr. and Mrs. Thomas Foster, was shot and killed while Patrolmen Richard Martin and Robert Jackson were investigating the burglary of the Crescent Cigar and Tobacco Co., 2021 Lafayette St., about 9 p.m., May 29.

The officers say the boy was carrying a toy pistol in his hand when they flushed him out of a hiding place in the business establishment. They said they mistook him for an armed adult.

One eye-witness told the Louisiana Weekly she had seen the boy run from the building and said she did not see him carrying anything in his hand. She said she considered it unlikely that anyone would mistake so small a boy for an adult.

Police say the boy was shot when he continued to advance upon them after he had been ordered to halt.

However, reports are to the effect that the boy was shot four times, with all bullets entering one side of his chest and emerging at the other side. This would indicate, observers say, that the boy was running past the officer who shot him and not advancing on the officer.

The fatal shooting of Allan Foster, a fifth grade pupil in a McDonogh School, touched off citywide protest. Hundreds of persons attended his funeral and some 400 voiced their protests at a mass meeting in St. Mark's Fourth Baptist Church the following Sunday.

The Fraternal Order of Police, last week, took issue with the NAACP's request for a grand jury investigation. The FOP sought to justify the killing by pointing out the juvenile was illegally in the building, that he did not halt as ordered but "continued to advance," and was carrying a "clever replica of a real revolver."

The FOP said it found no foundation in fact for the "accusaton of some self-alleged Negro leaders that the police power had been abused" in the fatal shooting of the boy.

NAACP President Chapital replied by submitting the names of 12 outstanding organizations which were joined with the NAACP in requesting the grand jury investigation.

Among those scheduled to appear before the grand jury are Mrs. Helen Holloway, three teen-aged boys who allegedly accompanied young Foster on the ill-fated venture, John E. Rousseau of the Louisiana Weekly, two unidentifired women eye-witnesses, and several other persons.

Girl Discovers Act Of Murder

Visitor Surprises Negro In Attack On Cousin At New Orleans

By United Press International

NEW ORLEANS, Jan. 3.—A Negro in a black trench coat stabbed a pretty blond girl to death in her bedroom on her 18th birthday Tuesday and then fled on her bicycle. The victim was a first cousin of former Miss America Lynda Lee Mead of Natchez, Miss.

Police launched a massive search for the Negro, who was reportedly drenched with blood and cut and scratched in his struggle with Donna Trussell.

Officers reportedly were holding a Negro found in the neighborhood with what appeared to be blood in his hair, but their search continued.

Officers said the girl's nude body was stabbed repeatedly and her throat was slit. It was not immediately determined whether she had been criminally assaulted.

Heard Her Screaming

Officers said Donna's cousin, Lynn Bulliard, arrived at the Trussells' two-story tan stucco house in a mixed neighborhood Tuesday morning with a boy friend from New York. The boy stayed outside while the girl went in to see Donna.

Miss Bulliard rushed upstairs to Donna's bedroom when she heard her screaming. She told police she saw the Negro man sitting on her on the floor.

Miss Bulliard screamed and ran out of the house. The Negro fled later, carrying a bundle under his arm. Police said it was believed to be clothing. He leaped on a bicycle outside the house and pedalled off.

'Extremely Attractive'

Neighbors said Miss Trussell, described as "extremely attractive," quit school about two years ago.

Her father said she had been studying modeling in New York, and had come home for Christmas about two weeks ago. Mrs. Trussell and Lynda Mead's mother were sisters.

"She was alone as usual—the kid was alone," her father moaned when notified of her death.

Police combed the area around the house with police dogs and brought in numerous suspects fitting the general description of the killer.

Mr. Trussell is a mechanic and his wife is employed by a physician.



WITNESS TO MURDER—Miss Lynn Bulliard, who arrived in New Orleans yesterday on a visit and found her cousin murdered and the slayer in the room with her, views one of numerous Negroes rounded up by police in their search for the killer. The victim, Donna Trussell, was a first cousin of former Miss America, Lynda Lee Mead, of Natchez, Miss.

—AP Wirephoto

Slain on birthday

Negro is sought in death of girl

NEW ORLEANS, Jan. 4 — (AP) — Police pressed a manhunt today for a Negro—believed scratched and cut—who slashed to death a pretty, teen-aged blonde in her bedroom.

Donna Trussell, a cousin of 1960 Miss America Lynda Lee Mead, was to have returned in a few more hours to New York. She was trying to launch an acting career.

She was studying modeling and acting. She was slain on her 18th birthday.

Another cousin came on the slaying scene as it took place yesterday, and fled in terror. Police later found Miss Trussell's nude body in her bedroom. Her father said it "looked like a slaughterhouse."

The coroner's office said the girl died from multiple stab wounds of the chest, throat and abdomen. Police were still searching for the weapon.

Capt. Myron Weysham, Homicide Division chief, said the killer probably was scratched on the face or neck and cut on the right thumb.

POLICE CONTINUED questioning three Negroes picked up near the scene.

Lynn Bulliard, 25, cousin of Miss Trussell, came by to wish her a happy birthday and saw her struggling with a Negro.

"You could hear a lot of screaming and yelling coming from upstairs," she said. "I didn't want to burst in, so I hesitated.

"I finally went up the stairs. I didn't go in the room, but I didn't have to. I thought somebody was wrestling until I noticed a colored fellow."

She said she was no more than 10 feet from the death struggle. A TV set was knocked down and a heater pulled from the wall.

"Part of her clothing were off and she was lying on the floor," Miss Bulliard said." . . . I didn't know what to do. I don't think he even saw me there was so much noise. I ran down the stairs and out to Allen."



AP wirephoto

DONNA TRUSSELL
. . . Slaying victim

Allen Rothbart, of New York had accompanied Miss Bulliard and waited outside. He said he saw the assailant flee on a bicycle, carrying a bundle of clothing under his arm.

Manhunt Pressed In Girl's Slaying

Jackson Daily News P. 1

Jackson, Miss.

Lynda Mead's Cousin Knifed; Three Negroes Are Questioned

Wed. 1-4-61

NEW ORLEANS (AP)—Police pressed a manhunt today for a Negro—believed scratched and cut—who slashed to death a pretty, teen-age ash blonde in her bedroom.

Donna Trussell, a cousin of 1960 Miss America Lynda Lee Mead, was to have returned in a few hours to New York. She was trying to launch an acting career.

Another cousin came on the slaying scene as it took place yesterday, and fled in terror. Police later found Miss Trussell's nude body in her bedroom. Her father said it "looked like a slaughter-house."

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"Part of her clothes were off and she was lying on the floor," Miss Bulliard said. ". . . I didn't know what to do. I don't think he even saw me there was so much noise. I ran down the stairs and out to Allen."

Allen Rothbart of New York had accompanied Miss Bulliard and waited outside. He said he saw the assailant flee on a bicycle carrying a bundle of clothing under his arm.

The attacker was described as being 25-30, 5 feet 9 inches tall and weighing 160 pounds. He was wearing a black trench coat.

Police later found the bicycle and were checking it for fingerprints. It belonged to the victim's 15-year-old brother, who was in school at the time of the slaying.

Until two years ago, Miss Trussell was active in local theatre groups. She went to New York after finishing two years of high school here.

It was while she was in New York that she shared an apartment briefly with her beauty-queen cousin, Miss Mead.

PARENTS SEPERATED

George Trussell, auto mechanic and father of the slain girl, said the killer apparently chased her into the bedroom from another room in the apartment the girl shared with her mother. The girl's parents are separated.

The girl's father was greif stricken. He had to be restrained when police held a Negro in a prowl car for questioning.

Ethel Crumb Brett, technical director of Le Petit Theatre du Vieuux Carre (The Little Theatre of the French Quarter) where the girl had performed, said she was trying for an acting and TV career in New York.

"She was so sweet and pretty," Miss Brett said.

Young Slayer Shows No Tears

Chicago Defender

Chicago Ill.

Feb 23 - Mar 3 1961

LAKE CHARLES, La.—(UPI)—A 19-year-old youth showing no fear or remorse, said he killed a woman bank employe and wounded two others because he wanted "to get some money and hide in a big town."

The young bank robber, who has a juvenile crime record, robbed a branch of the Gulf National Bank of $14,091. He took three bank employes as hostages, forcing them to drive him to a lonely road.

Wilburt Rideau then ordered them from the car and shot them as they fled. Mrs. Julia Ferguson, 50, moved as she lay on the ground. He pulled a knife and stabbed her repeatedly. She died enroute to a hospital.

Mrs. Dora McCain, 30, branch manager, and Jay Hickman, 50, were in fair condition with bullet wounds. Mrs. McCain said she "played dead" after Rideau shot her in the neck. Hickman, shot in the shoulder, stumbled into a ditch.

The young robber was arrested three hours after the robbery at a roadblock. He was driving Mrs. McCain's car and still had the money with him. Officers found a knife near the shooting and stabbing scene believed to be the one he used to fatally stab the woman. They were still searching for the .22 caliber pistol he used in the robbery.

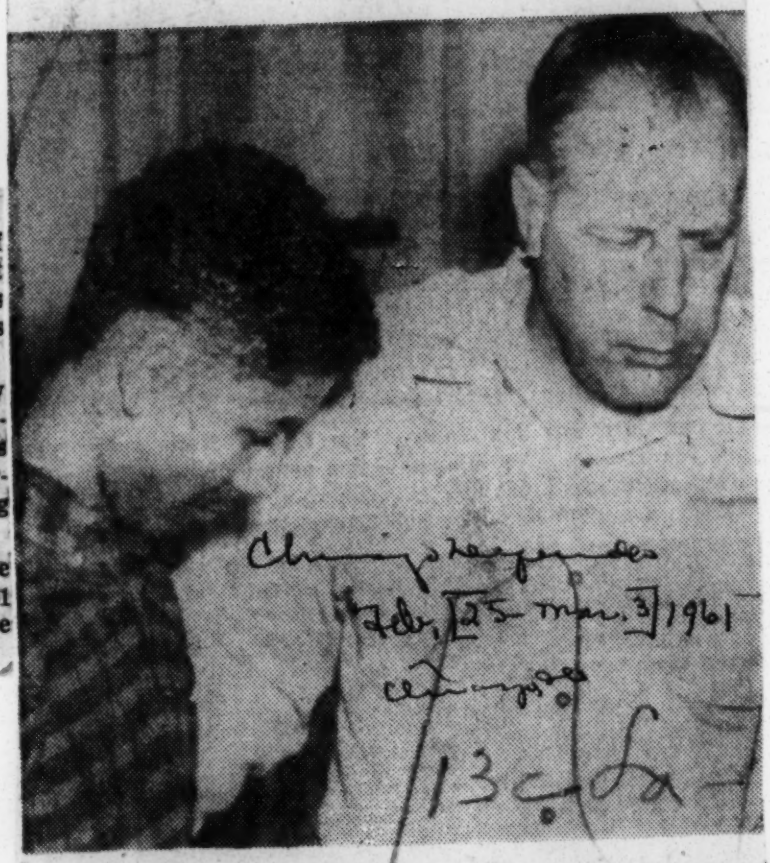
Sheriff Henry Reid said Rideau was charged with bank robbery, murder and kidnaping. Reid said the youth "shows no remorse and doesn't appear to be frightened."

The sheriff said a crowd of whites gathered at the jail, "but there was no demonstrations . . . just a bunch of curious people."

First word of the robbery came from the main Gulf National bank. The bank stays open late on Thursday. The parent bank reported "something is going on" at the branch.

When deputies arrived, the bank doors were open and $1 bills were strewn about on the floor.

He's In Trouble



Chicago Defender

Feb. 25 - Mar. 3 1961

Chicago

13 La

WILBURT RIDEAU, 19-year-old bank robber who took $14,000 from Lake Charles, La., bank along with three hostages he later shot, killing one, is shown with Sheriff Henry Reid. Rideau was captured with money at roadblock.

13c 1961

LOUISIANA

Young Beauty Knife Victim In Louisiana

NEW ORLEANS, La. (AP)—A beautiful, 18-year-old community theater actress—"so sweet and pretty"—was found slashed to death in the bedroom of her apartment Tuesday.

Police identified her as Donna Trussell, a cousin of the 1960 Miss America, Lynda Lee Mead, of Natchez, Miss.

The body of the dark-haired beauty, who was 18 years old Tuesday, was found on the floor of her bedroom— her throat slashed, her stomach ripped and her clothes torn from her body. Tests were made to determine if she had been raped.

YOUNG NEGRO

Lynn Bulliard, 25, a cousin of the dead girl, said she walked into Miss Trussell's apartment to find a young Negro bending over the girl, slashing her with a knife.

Miss Bulliard, who told police she was too terrified to scream, fled from the apartment. Allen Rothbart, who accompanied Miss Bulliard to the apartment to wish the girl happy birthday, had waited outside the building. He called police. Rothbart was visiting the city from New York.

When Miss Bulliard fled from the apartment, the killer apparantly also ran out and escaped on a bicycle belonging to the murdered girl's brother who was in school.

Rothbart said he saw a young Negro man, wearing a dark trenchcoat, flee from the scene.

George H. Trussell, automobile mechanic and father of the dead girl, said the killer apparently chased her into the bedroom from another room in the apartment the girl shared with her mother. The girl's parents are estranged.

Trussell said there must have been a struggle. A television set was knocked from its table and a heater pulled from the wall.

"There was blood everywhere," Tursell said.

Police took two Negroes into custody, one with blood splattered in his hair.



DONNA TRUSSELL
Slaying Victim

Ethel Crumb Brett, technical director of Le Petit Theatre du Vieux Carre—Little Theater of the French Quarter—where the girl had worked, said the murdered girl "was so sweet and pretty."

Woman Arrested In Torso Death

MENA, Ark. (AP) — Sheriff Bruce Scoggin said Friday a 50-year-old woman has been arrested in Covington, La., and charged with murder in the death of a man, believed to be her husband. His dismembered torso was found in a well near here last week.

Arkansas State Trooper Carroll Page said in Covington that Norma MacDonald refused to waive extradition to Arkansas. Prosecuting Atty. Ben Core of De Queen, Ark., said he would start extradition proceedings immediately.

Page said bones and human flesh were found in the septic tank of Mrs. MacDonald's farm home near here, in the septic tank of a house she had rented in Covington, and in a station wagon she drove from Arkansas to Louisiana.

Her husband, E. B. MacDonald, 73, a farmer, has been missing since mid-December, Scoggin said. He added that MacDonald fit the description laboratory experts devised from parts of the body found in the well.



—Photo by The Times-Picayune.
MRS. NORMA MacDONALD

WOMAN DENIES KILLING MATE

But Says She Disposed of Parts of Body

COVINGTON, La. (AP) — A 50-year-old woman, charged with the murder of her wealthy 73-year-old husband, admitted she disposed of parts of the body.

But Mrs. Norman MacDonald denied she murdered her husband, E. B. MacDonald, former officer in the U. S. Marine Corps.

Parts of MacDonald's torso were found Dec. 30 in a well near Mena, Ark., where the couple had lived for about six months. They later rented a home near Covington, La., across Lake Pontchartrain from New Orleans, in 1960.

Carroll Page, an investigator for the Mena sheriff's office, said the killing occurred in Arkansas. Police said earlier Mrs. MacDonald loaded some of the body parts in her station wagon and drove to Covington, where the MacDonalds once operated a cafe.

Page said Mrs. MacDonald, questioned in Covington over the week end, would fight extradition to Arkansas.

The investigator also said other parts of MacDonald's body were found in a septic tank at the Covington home.

SIX QUESTIONED AS POLICE PUSH MURDER PROBE

Slayer Believed Cut by Victim's Fingernails

The number of suspects being questioned in connection with the slaying of 18-year-old Donna Trussell rose to six Wednesday.

Homicide Capt. Myron Weysham said some of the suspects may be given lie detector tests.

No one has been booked with murder in the knife slaying of the attractive girl who was slashed to death on her birthday Tuesday at her residence at 1616 S. Gayoso, according to Capt. Weysham.

Each of the Negro suspects being held for questioning has denied any connection with the slaying, police said.

Officers, however, were still looking for the slayer, described as a Negro, 25 to 30 years old, five feet, nine inches tall, weighing 160 pounds.

HAND BELIEVED CUT

He was dressed in a black trench coat, mustard-colored, long-sleeved shirt, and dark, tight-fitting trousers.

The murder weapon has not been found yet, police said.

The slayer is believed to have been scratched by the girl's long fingernails as she fought him off and police said his hand may have been cut.

Capt. Weysham refused to comment on whether the hands of any of the suspects being held were cut.

The Orleans parish coroner's office Wednesday was analyzing blood found at the residence and was trying to determine whether Miss Trussell had been sexually molested.

While police were continuing their investigation Wednesday, the victim's funeral was quietly conducted.

A private funeral was held at the House of Bultman, 3338 St. Charles, Wednesday afternoon, followed by religious services at Our Lady of Lourdes church, Napoleon and LaSalle. Interment was in Metairie cemetery.

About 25 family members and close friends attended.

Among those present were a cousin, Miss Lynne Bulliard, 25, 8226 Apricot, and a friend, Allen Rothbard, a New York visitor.

Miss Bulliard witnessed the attack when she went to Miss Trussell's home Tuesday morning.

She told officers she went to the residence to pick up her cousin so they and Rothbard could visit friends together on Miss Trussell's birthday.

It was believed Miss Trussell left the front door unlocked in expectation of Miss Bulliard's visit.

Miss Bulliard said she heard screams when she entered the house and went to an upstairs room where she saw a Negro bending over Miss Trussell.

CHECKED FOR PRINTS

She fled from the house, alerted Rothbard, and summoned police.

Rothbard told officers he saw a Negro riding a bicycle from the Trussell home. The Negro was carrying a bundle of clothes, he said.

Officers found the bicycle in the 2900 block of Washington and identification technicians immediately checked it for fingerprints and possible bloodstains. Police declined to say if any prints were found.

The bicycle belonged to Miss Trussell's brother and had been left next to the front door of the S. Gayoso residence.

The attack occurred shortly before noon Tuesday.

Crying Negro Questioned In Girl's Slaying

BATON ROUGE (AP)— Police Sunday questioned a 26-year-old Negro in connection with the Jan. 3 murder of Donna Trussell, 18-year-old modeling student in New Orleans.

The man, identified as Howard King of Russellville, Ark., began crying and threatened to kill himself when asked about the slaying. It was not known whether he had been in New Orleans at the time of the slaying.

King, who said he had been in a mental hospital in Arkansas, was arrested at a Baton Rouge bus station about midnight Saturday on charges of vagrancy.

Police quoted him as admitting an armed robbery in Lake Charles and one in Shreveport.

Police said he generally fitted the description of the man sought in the Trussell slaying with one exception—there was no cut on either thumb. Police said he had fresh scars on his cheek which could have been inflicted by a fingernail and he also had a bruise on his neck.

SUSPECTS FREED IN SLAYING CASE

Other Arrests Indicated as Tests Awaited

Police Friday released a number of suspects they had been questioning in connection with the knife slaying of pretty Donna Trussell.

Officers were still waiting for tests to be completed to determine definitely if the 18-year-old modeling student had been sexually molested.

Assuming that she had been, officers have been particularly interested in known sex offenders who fit the description of the slayer.

Capt. Myron Weysham, homicide division commander, said four of the nine suspects picked up have been released after questioning, and he indicated more may be released soon.

He said several other Negroes picked up for questioning by tactical squad officers had also been released.

Six teams of homicide officers have been working on the slaying since it occurred Tuesday morning at the girl's residence, 161 S. Gayoso.

It was believed that officers know the blood type of the slayer and that a Negro 25 to 30 years old, five feet nine, weighing 160 pounds, with a certain blood type was being sought.

A cousin, Miss Lynne Bulliard, 25, 8226 Apricot, and Allen Rothbard, a visitor from New York, came to the S. Gayoso residence during the attack and saw the Negro flee on a bicycle belonging to Miss Trussell's brother.

Miss America's Kin Slain; Man Hunted

NEW ORLEANS — (AP) — Police pressed a manhunt for a Negro who slashed to death a pretty young modeling student in her bedroom.

Donna Trussell, a cousin of 1960 Miss America Lynda Lee Mead, was slain just a few hours before she was to leave for New York, where she was trying to launch an acting career.



DONNA

It was her 18th birthday.

Another cousin stumbled on the slaying and fled in terror. Police found Miss Trussell's nude body in her bedroom.

Her father said it "looked like a slaughterhouse."

The coroner's office said the girl died from multiple stab wounds of the chest, throat and abdomen. Police are searching for the weapon.

Capt. Myron Weysham, homicide chief, said the killer probably was scratched on the face or neck and cut on the right thumb.

Police questioned three Negroes picked up near the scene.

Lynn Bulliard, 25, cousin of Miss Trussell, said she dropped by to wish her a happy birthday and saw her struggling with a Negro.

"You could hear a lot of screaming and yelling coming from upstairs," she said. "I didn't want to burst in, so I hesitated.

"I finally went up the stairs. I didn't go in the room, but I didn't have to. I thought somebody was wrestling until I noticed a colored fellow."

She said she was no more than 10 feet from the death struggle. A TV set was knocked down and a heater pulled from the wall.

"Part of her clothes were off and she was lying on the floor," Miss Bulliard said. ". . . I didn't know what to do. I don't think he even saw me, there was so much noise. I ran down the stairs and out to Allen."

Allen Rothbart of New York had accompanied Miss Bulliard and waited outside.

He said he saw the assailant flee on a bicycle, carrying a bundle of clothing under his arm.

6 Are Questioned In Knife Murder

Negroes Deny Connection With Blond's Death

NEW ORLEANS, Jan. 5. — (UPI)—Police Thursday held six Negroes as suspects in the Tuesday slaying of blond modeling student Donna Trussell, 18, but said all six denied any connection with the crime.

The city coroner's office said it still had not been determined whether the girl was sexually molested by the Negro who slashed her fatally with a knife in her bedroom.

Police said they still were searching for suspects fitting the description given by two witnesses. One witness, a cousin of the dead girl, saw the struggle from 10 feet away and the other saw the Negro fleeing.

Police plans include a lie detector test for the suspects, analysis of scrapings from the girl's fingernails, analysis of blood in the apartment and a search for fingerprints.

The killer was believed to have suffered cuts and scratches in the struggle, but officers would not say whether any of the suspects had cuts or scratches.

The girl, a former modeling student at a New York school and an actress in New Orleans theater productions, was buried Wednesday.

ACLU hits beating of pastor in La.

NEW YORK, N.Y. (AP) — The American Civil Liberties Union filed a complaint Wednesday with the Department of Justice charging that police officials in Shreveport, La. had beaten a Congregationalist minister who publicly proclaimed his anti-segregation beliefs.

The organization asserted in a letter to Harold Tyler, head of the Department's Civil Rights Division, that action taken on Jan. 5 against the Rev. Ashton Jones of San Gabriel, Calif., was a violation of the federal Civil Rights Act.

Submitting sworn statements by the Rev. Mr. Jones and his traveling companion, Joe Glynn of Summerville, Mass., describing the attack the ACLU asked for a prompt and vigorous investigation by the FBI and quick prosecution by the Department of Justice.

Federal law prohibits any public official acting "under color of law" from depriving a person of his civil rights. The ACLU request was signed by its executive director Patrick Murphy Malin.

The Rev. Mr. Jones asserts his religious beliefs by preaching in and driving from community to community in a car which has attached to its sides slogans and pictoral symbols extolling brotherhood and peace.

Born and educated in Georgia, the Rev. Mr. Jones was ordained in the Congregational Church in 1928 in Atlanta. He is now the associate pastor of the Neighborhood Community Church in Los Angeles.

In recent years his preaching about brotherhood in the South has been interpreted as support for desegregation. The Rev. Mr. Jones took an active part last April 26 in "sit-in" demonstrations in Dallas, Texas, protesting lunch-counter discrimination against colored persons.

Slayer Of 11-Year-Old Girl To Die In Chair On Friday

BATON ROUGE, La. — Gov. Jimmie H. Davis last week set Feb. 3 as the execution date for Jessie Ferguson, 37, Opelousas, La., who was convicted June 23, 1959 on a charge of murder. Ferguson's death warrant, the first signed by Gov. Davis, was issued Jan. 20.

The condemned man was convicted of slaying 11-year-old Joyce Thibodeaux, daughter of Mr. and Mrs. Herman Thibodeaux, Opelousas, La., Jan. 31, 1959 in St. Landry Parish.

At the time of Ferguson's arrest, Police Chief Roland Chachere said the child had been beaten to death after having been raped. Dr. Michael Gillespie, Opelousas, La., who acted as coroner, said the girl apparently died of a broken neck.

Police said the girl's family had reported her missing and they were led to Ferguson on Feb. 2 by witnesses who had seen him with her.

Officers said the girl's body was found a half hour after Ferguson's arrest. It was in an abandoned barroom, they said.

The St. Landry Parish grand jury indicted Ferguson for rape and murder. He was tried and convicted on the murder charge.

Ferguson appealed his sentence to death by electrocution to the State Supreme Court in March, 1960 and gained a reversal. The state later applied for a rehearing and in November, 1960, the conviction and sentence were confirmed.

Sheriff D. J. Doucet and District Attorney J. Y. Fontenot of St. Landry Parish were notified last week that the governor had set Ferguson's execution for Friday between midnight and 3 a.m. Doucet was instructed to take Ferguson from the St. Landry jail in Opelousas to the state penitentiary in Angola, La., on Thursday afternoon Feb. 2, according to records, previously served time in the penitentiary for a conviction of theft in Natchitoches Parish, and for aggravated rape in Rapides Parish in 1945.

Negro Youth Robs Bank, Slays One And Shoots Two

LAKE CHARLES, La. (AP) — A teen-ager shot and knifed to death a woman teller and wounded two other bank employes he took as hostages in a $14,000 robbery Thursday night.

State Police seized Wilbert Rideau, 19-year-old Negro, as he was driving the small foreign car belonging to the slain woman, Julia Ferguson, 50, a widow.

Sheriff Henry Reid Jr. said Rideau admitted holding up the suburban bank. Reid added he would be charged later today with murder, kidnaping and armed robbery.

Rideau, whom the sheriff said had a juvenile record, told police he bought a .22-caliber pistol Wednesday. He was employed in the same shopping center where the South Gate branch of the Gulf National Bank is located. The bank stays open until 7 p.m. on Thursdays.

Rideau told officers he went into the bank and "I showed him (Jay H. Hickman, about 50, the branch manager) the gun and told him to call the two girls to the front of the bank and have them close the draperies."

Meanwhile, Dora McCain, 30, a teller, telephoned the main bank and said, "Something peculiar is going on." Then the connection was broken.

The bandit forced Mrs. Ferguson, Mrs. McCain and Hickman into Mrs. Ferguson's car and drove off.

"We drove all over," Rideau said.

Rideau was picked up about an hour and a half after the robbery.

The youth told police he fired at the three when they jumped out of the car.

But a coroner's report said there were powder burns on the back of Mrs. Ferguson's neck. She had been shot twice and stabbed twice.

Hickman denied that he and the women tried to jump out of the car. Hickman, who said he was shot first, suffered a shoulder wound.

Mrs. McCain, who said she "played dead" after being shot in the neck, was in serious condition at a hospital.

Rideau calmly answered police questions and at one point told them, "I was going to try to find a big city and have a big time."

Policemen Slay Negro In Duel

NEW ORLEANS (AP)—Police killed a Negro ex-convict in a blazing gun battle in a riverfront section here Thursday.

Charles L. Broussard, 38, died with a gun in each hand.

The Negro fired at Ptn. Frank Hayward and a dog during the pursuit.

Officers said he had been sentenced to prison five times since 1946. He was out on bond on a simple burglary charge when he was killed.

Bank Robber Kills Woman Hostage

Negro Youth Wanted To Have Big Time, Tells Captors

LAKE CHARLES, La. (AP)—A teen-ager shot and knifed to death a woman teller and wounded two other bank employes he took as hostages in a $14,000 robbery Thursday night.

State Police seized Wilbert Rideau, 19-year-old Negro, as he was driving the small foreign car belonging to the slain woman, Julia Ferguson, 50, a widow.

Sheriff Henry Reid Jr. said Rideau admitted holding up the suburban bank. Reid added he would be charged later today with murder, kidnaping and armed robbery.

Rideau, whom the sheriff said had a juvenile record, told police he bought a .22-caliber pistol Wednesday. He was employed in the same shopping center where the South Gate branch of the Gulf National Bank is located. The bank stays open until 7 p. m. on Thursdays.

Rideau told officers he went into the bank and "I showed him (Jay H. Hickman, about 50, the branch manager) the gun and told him to call the two girls to the front of the bank and have them close the draperies."

Meanwhile, Dora McCain, 30, a teller, telephoned the main bank and said, "Something peculiar is going on." Then the connection was broken.

The bandit forced Mrs. Ferguson, Mrs. McCain and Hickman into Mrs. Ferguson's car and drove off.

"We drove all over," Rideau said.

Rideau was picked up about an hour and a half after the robbery.

The youth told police he fired at the three when they jumped out of te car.

But a coroner's report said there were powder burns on the back of Mrs. Ferguson's neck. She had been shot twice and stabbed twice.

Hickman denied that he and the women tried to jump out of the car. Hickman, who said he was shot first, suffered a shoulder wound.

Mrs. McCain, who said she "played dead" after being shot in the neck, was in serious condition at a hospital.

Rideau calmly answered police questions and at one point told them, "I was going to try to find a big city and have a big time."

The youth's mother, Gladys Rideau, 38, buried her face in her hands and sobbed as she waited in a police anteroom. She told officers she had no idea why her son robbed the bank.

D.A. Dowling Promises Key Witnesses To Be Subpoened

District Attorney Richard A. Dowling has assured the NAACP that the May 29 fatal shooting of 10-year-old Allan Bruce Foster by New Orleans police will be presented to the Orleans Parish grand jury for a complete investigation. Arthur J. Chapital, Sr., NAACP president, said the district attorney had made this promise in reply to a resolution which was submitted early last week.

Allan Bruce Foster, one of 14 children of Mr. and Mrs. Thomas Foster, 1956 Perdido Street, was shot four times and fatally wounded by two policemen who were investigating a burglary report at the Crescent Cigar and Tobacco Co., 2021 Lafayette Street.

BULLETIN

Several key witnesses to the May 29 shooting by police of 11-year-old Allan Bruce Foster have been located by the NAACP, according to Arthur J. Chapital, Sr., president. One person claiming to be an eyewitness to the shooting telephoned the Louisiana Weekly. His name and address were turned over to NAACP investigators Earl J. Amedee and A. Marcel Trudeau.

Patrolmen Richard Martin and Robert Jackson said the boy ran from the scene of the burglary scene carrying a toy pistol in his hand and he was mistaken for an armed adult when he was shot.

Eye-witnesses, however, told The Louisiana Weekly and the NAACP they did not see the boy carrying anything as he ran out of the building, and that it was inconceivable that anyone would mistake so small a child for an adult.

The NAACP called a mass meeting in St. Mark Fourth Baptist Church on Sunday, June 4, to protest what it termed the "needless" slaying. President Chapital raised the question of the child having been shot four times in the chest. Some 400 persons present adopted the resolution which was sent to the district attorney.

Replying to the NAACP demand, District Atty. Dowling said his office would present the matter to the Orleans Parish grand jury to determine "what action, if any" would be taken against the policemen.

The district attorney asked the NAACP to supply him with the names of any available witnesses to be subpoenaed for the grand jury investigation.

12 Groups Join NAACP Move For Probe Of Fatal Shooting

By John E. Rousseau

Twelve Negro organizations have joined the NAACP in its request for a grand jury investigation of the fatal shooting by police of an 11-year-old boy on May 29, Arthur J. Chapital, NAACP president, disclosed Monday. Orleans Parish District Attorney Richard A. Dowling has promised to present the matter to the grand jury.

The disclosure of widespread organizational support was made by Chapital in reply to a statement made by the Fraternal Order of Police which was published in a daily newspaper Saturday.

The FOP was quoted as saying it found "no foundation in fact" for the accusation of "some self-alleged Negro leaders" that police power had been abused in the fatal shooting of Allan Bruce Foster, 11, of 1956 Perdido St.

The boy was shot four times and fatally wounded while Patrolmen Richard Martin and Robert Jackson were investigating the attempted burglary of the Crescent Cigar Tobacco Co., 2021 Lafayette Street.

The officers said the boy was carrying a toy pistol and they mistook him for an armed adult.

FOP INVESTIGATES

The FOP, an organization of police officers, said, in the daily newspaper article, it had conducted an investigation which showed:

1. The juvenile was illegally in the building.

2. To all appearances and purposes he was carrying a revolver at the time of the incident.

3. The police had given a lawful and legal order to halt and he did not halt, but continued to advance with the pistol in a threatening manner.

4. The fact that the revolver was later found to be a clever replica of a real revolver is immaterial as to all intents and purposes it looked real.

SANCTIONS GRAND JURY PROBE

The FOP resolution, made public by Joe Humble, president, and Chester A. Peyronnin and Samuel H. Exnicious, members of the board of governors, said that "despite the claims made by some self alleged Negro leaders relative to the deprivation of civil liberties and the abuse of police power," the organization found no foundation in fact for the accusation.

"We heartily sanction the presentation of this matter to the grand jury."

"The resolution continued: 'At this time when the police department and the individual members thereof are constantly being attacked by misguided or fanatical pressure groups as well as paid agitators, it is absolutely necessary for every police officer to know that he has the support of the law abiding citizens of this community."

NAACP REPLIES

A statement by the NAACP, released Sunday by Chapital, said, in part:

The NAACP is made up of citizens who are as much concerned with the progress, improvement and stature of our community, state and nation as we are confident the members of the Fraternal Order of Police are.

"It is the purpose of all sound-thinking, perceptive and alert citizens of a community to at all times concern themselves with the betterment of the community in which they live...Throughout the history of America, the aspect of proper law enforcement in our society has been the most essential safeguard of these principles. It was with this particular interest that the aforesaid investigation was requested by the NAACP..."

The NAACP statement pointed out that it did not suggest that FOP had no right to conduct its own investigation but "we do question the propriety and sincerity of it at this time and the manner in which it was made."

"The request by the NAACP was made of the District Attorney for a grand jury investigation. If the FOP wishes to represent or see that the rights of the member officers are protected, then it should present its evidence to Mr. Dowling as the NAACP did.

"The NAACP did not say conclusively that there was improper police procedure. We requested the grand jury investigation to determine that point. On the other hand, the FOP makes its findings conclusive on that point.

"One could hardly expect an organization investigation alleged improper conduct of its own members to be completely impartial in its findings....

"Perhaps the most unfortunate part of the statement by the FOP," the NAACP continued, "is its insinuation that this investigation was requested by irresponsible people, to whom it refers as 'self-alleged Negro leaders.' This only further indicates how haphazard its alleged investigation was. It might interest the FOP to know that the following organizations joined the NAACP in this request:

"General Longshore Workers, I.L.A., Local 1419; the Prince Hall Masons of Louisiana; Frontiers of America, The Studs Club, ILA Local 854, the New Orleans Insurance Executives Council, the Consumers League of Greater New Orleans, the United Clubs, Inc., the Urban League of Greater New Orleans, the Interdenominational Ministerial Alliance, the United Voters League, and the Ancient and Accepted Scottish Rite of Freemasonry."

The statement concluded, "The NAACP intends to remain vigilant whenever there is an incident of possible improper procedure whether an Allan Bruce Foster or a Ray Scheuering is involved."

Ray Scheuering, a high city official and brother of a former superintendent of police, was killed by an off-duty policeman several months ago. The former policeman and a companion were sentenced to ten years following their conviction in criminal district court.

Chapital told the Louisiana Weekly that the NAACP has concluded its investigation and has submitted pertinent evidence and names of eye-witnesses to District Atty. Richard A. Dowling for presentation to the Orleans Parish Grand Jury.

Negroes Ask Full Data on Man's Killing

Evening Star
8-31
Wed 8-30-61
Washington, D.C.

FREDERICK, Md., Aug. 30 (AP).—A statement that officials here were trying to cover up the circumstances surrounding the fatal shooting of a 22-year-old Negro Saturday was made at a mass meeting here last night.

More than 100 Negroes, meeting under the auspices of the Frederick chapter of the National Association for the Advancement for Colored People, said they were convinced that stories in local newspapers were based on incomplete information furnished by Frederick police "either by design or error."

"We are convinced," the statement read, "that there was an uwarranted and unnecessary use of firearms by police in the case."

The meeting followed the fatal shooting of William Marshall Allen, who apparently was killed by Frederick policeman. Patrolman J. Frank Main, jr., allegedly shot the man when he refused to drop a knife officers said he was brandishing. Five patrolmen had cornered Allen in a backyard.

A spokesman for the local NAACP said the chapter was seeking legal aid to insure that a manslaughter hearing for Policeman Main would uncover all the facts of the case. The hearing is set for Friday.

Victim bound, gagged

The Afro-American Baltimore, Md.

By HERB MANGRUM
—and—
GEORGE COLLINS
BALTIMORE

A corpse, bound and gagged . . a whining black cat . . and a mystery novel titled: "Let Me Kill You Sweetheart."

These items, hidden behind a padlocked door in a run-down, cold - water flat for seven days, presented police with a murder mystery, this week.

Police entered "The Black Cat Case" at 1 p.m. Thursday when homicide squad investigators answered a call to the 1000 block E. Fayette St.

They found the body of Mrs. Viola Epps, 50, on a bed in the littered and freezing-cold second floor front room.

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THE VICTIM lay face - down, hands tied behind her back with a green scarf drawn tight about her mouth and face.

Dr. W. Bradley King, medical examiner, pronounced Mrs. Epps dead at 2:55 p.m. He said the cause of death was strangulation and exposure.

The woman was fully clothed and wore an overcoat.

However, undergarments were missing and Dr. King said there was evidence of criminal assault.

First officer to arrive on the scene was Patrolman John Lingner of the Central District.

Officer Lingner said he was called to the house by William (Willie) Homes, 48, same address, rear apartment, second floor.

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MR. HOMES told police he was attracted to Mrs. Epps' apartment, padlocked from the outside by loud and continuous meowing of the black cat.

He said he removed the screws from the lock hinges and entered the room.

He notified Officer Lingner after finding the dead woman.

When homicide officers, Lt. James Kemple and Sgt. Anton Glove arrived they questioned Homes further.

Lt. Kemple arrested Homes on the scene.

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AFTER FURTHER .questioning, formal charges were placed against him.

Arraigned before Chief Magistrate Joseph Kolodny at 3 p.m. Thursday, Homes was held without bail, pending a hearing, date to be set by the District Attorney's office.

He is charged with assault, by placing a gag in the mouth of one Viola Epps, 50, thereby causing her death by asphixiation, on or about Dec. 21, and

Criminal assault by forcibly abusing the victim, on or about the same date.

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HOMES, a husky, brown, skinned man, wore a brown leather jacket, yellow sweat shirt and brown trousers at the hearing. He needed a haircut.

He did not testify.

Tenants in the house reported they last saw the victim "About five days" before Christmas.

Wade H. Brown, who lives on the first floor, said he saw Mrs. Epps cutting wood in the back yard a few days before the holiday.

He said she shared the room with Lewis Ford before he was confined to City Hospital, more than five months ago.

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WHEN THE .throng of policemen, reporters and photographers reached the scene, they witnessed a sight that was as eerie as any to be found in a mystery novel.

The black cat, eyes glittering, frantically meowing, galloped up and down the creaky steps, trying to avoid pursuing cameramen.

After making good its escape, the cat would again try to enter the death room, only to start the chase all over.

The door, padlock and hinges hanging crazily, stood ajar.

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INSIDE THE .room, cluttered with baskets of wood, bottles of frozen water, old trunks and boxes, the grey-haired victim lay sprawled across the bed.

The dingy room had no lights. It once had been heated by a tiny egg stove.

Atop the ancient trunk, piled high with old clothes and boxes, lay the paperback mystery novel.

Pleading, "Let Me Kill You, Sweetheart," the subtitle asked: "She Had Three Lovers, Which One Killed Her?"

The corpse wore a glove on her right hand, was shoeless, but had on stockings.

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THE GRIMY bathroom appeared not to have been used for ages.

A sign tacked to the side of the structure, warned against trespassing.

Another sign declared, "Anyone Caught Destroying Property Will be Reported to Police."

Sgt. Glover said investigators were still seeking the location of the victim's relatives at AFRO presstime.

13c 1961 MICHIGAN

Helpless old man beaten to death by Detroit Negroes

DETROIT, Jan. 5—(AP)—Police said a 17-year-old told them he and two young companions beat a helpless old man to death Friday night.

Detective Inspector Thomas R. Cochill said Booker T. Washington, 17, confessed the fatal beating last night and implicated a 16-year-old and a 13-year-old.

Cyril B. Campbell, 71, was beaten to death and robbed of $120 as he walked toward his home after visiting his wife, Rose, a hospitalized stroke victim.

Cochill quoted Washington as saying:

"We needed some money, so we went looking for an old man who couldn't—or wouldn't—fight back."

Cochill identified the other two as Philip Clark, 16, and Morgan Harris, 13.

The three youths are Negro. Campbell, a retired electrical contractor, was white.

Girls' Bodies Found; Crack Shot Hunted



Margaret Chambers



—AP Wirephoto

Carol Lee

HOLLAND, Mich., May 1 (AP)—Police intensified their hunt for a 16-year-old crack shot after the bodies of two missing schoolgirls were found under a mantle of leaves near here today.

Carol Gee, 11, and Margaret Chambers, 12, had been shot several times each with a small caliber rifle. Their bodies were found in a wooded ravine in a dune area a quarter of a mile from Lake Michigan after a search that began Saturday, when the girls disappeared while picking wildflowers.

A warrant has been sworn out for the arrest of James Scott Stephens for investigation of murder. Stephens disappeared early Sunday after having breakfast at home and leaving two notes.

First Note

The first not, according to his step-father and mother, Mrs. and Mr. Kenneth Kerb, was left on his dresser and indicated an accidental shooting of two persons and disclosed plans to head for New Mexico or Arizona.

Investigators found a .22 caliber semi automatic rifle and several empty cartridges hidden in the Kerb attic today. Officers were checking out reports the youth had been seen at a bus station in nearby Saugatuck late Sunday.

The second note left by Stephens was found attached to a bicycle on which the youth left his home Sunday. The note offered the finder of the bicycle a reward for returning it to the Kerb home.

Medical examiner Dr. Peter Brachman of Allegan said a preliminary medical examination showed Margaret had two gunshot wounds in her chest and two others in her back. Carol was shot twice behind the right ear and once in the right thigh.

The bodies were found about 15 minutes after the search resumed this morning within a half mile of their homes. Up to 700 police officers and townspeople participated in the two-day hunt for the girls.

Liked Outdoors

A friend who turned down an offer by Stephens to go target shooting with him on Saturday, told police the youth "didn't seem interested" in shooting later in the day. Another schoolmate told officers Stephens was a lone wolf who like the outdoors and was a crack shot.

Stephens is a high school sophomore and works after school as a handyman for a Holland restaurant. He is also a patrol leader in the Holland Boy Scout troop.

Mrs. Kerb told police her son had been nervous and was acting queerly Saturday night.

Kerb said James ate a big breakfast with him Sunday morning before leaving their home. "I don't see how anyone could eat heartily if he had done something like that," Kerb said.

13c 1961 MICHIGAN

Find torso of woman in an alley

DETROIT — Detectives and Wayne County medical examiners are trying to determine the identity and cause of death of a woman whose headless body was found by a junkman Monday morning in a concrete garbage container behind an apartment building on Detroit's Westside.

The junkman, John W. Johnson, 80, discovered the torso after he had pulled a bundle from the garbage receptacle in the belief that it was a bundle of rags wrapped in a blanket.

Johnson said when he opened the bundle and saw the body he ran to the front of the apartment building and hailed a passing policeman, Patrolman Otto Wholgemuth, of the Parking Enforcement Bureau.

THE TORSO, its head and legs hacked off, was bundled in a tattered gray - blue blanket and tied neatly with a heavy twine.

A city garbage collecting crew called in to search the alley found the legs of the body in another garbage container two doors away.

They did not find the head.

The neighborhood in which the torso was found is in the Dexter - Clairmont area.

Dr. Edward S. Zawadzki, Wayne County medical examiner, said the victim was 5 feet 3 to 5 and 4½ and weighted about 130 pounds.

He said an autopsy showed that the woman was between 25 and 30 years of age and had been dead "at least four days."

Zawadzki said he could find no marks of violence on the torso itself and that laboratory tests would be made to try to find the cause of death.

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INSPECTOR GOERGE BLOOMFIELD, chief of the Homecide Bureau, said a canvass of the neighborhood failed to turn up any leads.

No report of any missing person answering the description of the body could be found in the listings of records of missing persons.

The alley was last cleaned by the DPW city garbage collectors on Friday. According to a junkman who went through the alley Saturday, the body was not in the receptacle then.



—AP Wirephoto

Willie Hughes (arrow) in Custody of FBI Agents

One of 10 Most Wanted Fugitives Seized bv FBI

POCATELLO, Idaho, Aug. 8 (UPI)—Two federal agents dressed in laborers' clothing slipped up behind Willie Hughes, 46, one of the FBI's 10 most wanted fugitives, and arrested him on skid row here today.

Hughes, wanted in Detroit as a suspect in the slaying of his best friend, told the arresting officers they never would have caught him without a footrace if they had been dressed differently.

Sought since June 12, 1960, when his only close friend, Russell Sharpe, was found beaten and strangled to death, Hughes had been working throughout the West as an itinerant farm laborer. He was dressed in dungarees when apprehended at 7 a.m. today.

He was taken before U.S. Commissioner R. Don Bistline and indicated he would waive extradition. He was remanded to the custody of the U.S. marshal in lieu of $25,000 bail and lodged in the Bannock County Jail.

Arrest of the murder suspect, who previously was convicted for murder, manslaughter, assault and battery and who was paroled from Michigan State Prison at Jackson May 22, 1958, culminated an intensive investigation by the FBI.

Special agent Gene Scheib of Pocatello and an agent he would not identify said the FBI had been working on the case here for some time.

Acting on a tip, they donned workmens' clothing and slipped up behind Hughes on a Pocatello sidewalk this morning and grabbed him. Hughes was unarmed and offered no resistance. He had only a few coins in his pockets.

Scheib said Hughes, prior to his arrest, had been constantly on the move, working two or three days at a time on farms in Arizona, Utah, Oregon, California, Colorado, Nebraska, Wyoming and Idaho.

The federal agent said Hughes told officers he had shaved off a mustache and goatee in hopes he could avoid identification.



DEATH SCENE — Wiley Crump, 67-year-old Negro, was killed on a neighbor's porch after he set fire to his own house and then killed five neighbors as they approached his burning house Thursday night.

'He Must Have Gone Crazy' Say Neighbors Of Killer

By SARA CRISS

Special to The Commercial Appeal

PHILIPP, Miss., Sept. 22.—Dazed neighbors tried Friday to explain why Wiley Crump, 67, set fire to his house and then killed five neighbors as they came to help Thursday night.

Smoldering embers of the cottage where the Negro farm worker had lived alone and the pool of blood on his neighbor's porch where he was finally shot down by officers were reminders of the terrifying night.

Crump's friends could only say "He must have gone crazy."

One by one he killed John Trotter, 73, Mary Shuttle, 68, Pete Pruill, 67, Amanda Griffin, 65, and Effie Franklin, 65, his sister. Elijah McFarland, 68, was the sixth man to walk up. Crump pointed his 32-30 Mauser rifle at McFarland and shot him in the back as he attempted to flee.

Expected to Recover

McFarland is in Tallahatchie County Hospital and is expected to recover.

Crump then apparently huddled among tall stalks in a corn patch across from his burning house.

A group of white men, attracted by the fire and shots as they played cards in their railroad car quarters about 300 yards away, went to the scene with their guns.

They began to help Negro ambulance attendants gather the bodies of the five victims.

Crump opened fire, hitting Milton Severio, 20, of Livingston, La., and Jim Bedinfield, about 39, of Oil City, La. But before he was hit, Mr. Severio managed to shoot Crump in the leg with a charge from his shotgun.

Attendants at Greenwood-Leflore Hospital in Greenwood say Mr. Severio and Mr. Bedinfield will recover. They are Illinois Central Railroad employes.

Armed Search Begun

Tallahatchie County Sheriff Ellett Dogan rounded up about 125 officers and civilian volunteers. The armed men searched the area for Crump. Finally about 10 p.m. the wounded Negro was seen crouched on the porch of a house next door to his burned cottage.

Sheriff Dogan said Crump raised his rifle to shoot and several officers opened fire with rifles and shotguns. Wiley Crump became the sixth person to die violently in Philipp Thursday night.

There was one bit of good news Friday morning. Charles Johnson, whom officers Thursday night said had been



OFFICERS AT WORK—Tallahatchie County Sheriff Ellett Dogan and Highway Patrol Inspector L. Y. Griffin (right) investigate the shooting.

Crump's sixth victim, was found hiding in his home. He had disappeared and neighbors reported him as one of the victims.

newsmen converged on Philipp, a little Delta community of 200 persons near Greenwood, seeking the reason for the shootings.

But neighbors of Crump, most of them picking cotton, had their own ideas.

The neighbors said Crump moved his "best furniture away from his home to another house about a mile away a few weeks ago."

They said he set his house on fire, planning to draw spectators. But none could say they had seen him do it.

Planned Slaying Indicated By Neighbors Of Rifleman

GREENWOOD, Miss. (AP)—The Tallahatchie County sheriff's department Friday delved into the mystery-shrouded fatal shootings of five Negroes while neighbors indicated it may have been a planned slaughter.

Wiley Crump, 67-year-old semi-crippled Negro, went berserk Thursday night but the wild escapade ended in his death.

Less than a dozen shots from his old bolt-action 32-20 rifle brought death to two men and three women, including his sister. Two white men were seriously injured as they attempted to put the dead in an ambulance.

Crump, who was well-liked by some and disliked by others, was shot to death by one of 125 officers searching the countryside for him. He was found only a few houses away—sitting on the porch of his dead sister's home.

At first authorities thought Crump killed six persons. But Charles Johnson, 60, Negro, was found Friday hiding in a nearby house.

Sheriff E. R. Dogan said Johnson was burned when Crump set fire to his house.

FIRED FROM SHACK

All of those killed were either attempting to help put out a fire which raged in Crump's home or were watching at a distance. The elderly man fired at them from a shack in the rear.

Law enforcement officers and

13c 1961

MISSISSIPPI

Philadelphia Farmer Slain

Jackson Daily News

Pigeon-Toed Footprints May Lead To Aged Farmer's Killer

By W. C. SHOEMAKER
Daily News Staff Writer

Jackson, Miss.

PHILADELPHIA, Miss.—Officers hoped today a pigeon-toed set of footprints will lead them to the person who beat to death an 80-year-old enemyless farmer near here but neglected to rob him of life savings of nearly $4,000.

13c

The body of M. C. (Mac) McCrory was found at the front steps of his run down home in the heart of the Pearl River Indian Reservation yesterday afternoon. His head had been beaten to a pulp and his hound dog sat on a homemade stool near his body. A robbery that was not carried out was believed to be the motive in the slaying.

Today officers held one suspect and questioned other persons but the best lead they had was a trail left by a pigeon-toed man with big feet as he ran across a field on McCrory's 90 acre red clay hilltop farm.

The Hinds County Sheriff's bloodhound, Sport, handled by Deputy Emmett Adams, followed the footprints from near McCrory's home to a spot a mile away where an automobile had been parked.

McCrory's body was discovered by his sister-in-law, Mrs. Joe McCrory yesterday afternoon but a physician who examined his body said he could have been dead since Wednesday night or early yesterday morning.

A post had been knocked from the porch of his home and lay blood spattered beside his body. A bucket he used to carry feed to his hogs still dangled from his arm.

Inside the bibb of his overalls Neshoba county sheriff E. G. (Hop) Barnett found $67. Another $73 came from the bibb of a pair of overalls found inside his old fashioned heart-pine house and $3,857.38 was uncovered from a coffee can in the house. It was wrapped in a yellowing newspaper.

His brother Lester said that was McCrory's life savings.

Lester said his brother long ago instructed him to use part of the money at his death to construct a roof over graves of himself, his wife and his parents in a small country cemetery near here.

McCrory, who had lived alone here since his wife died nearly 20 years ago, was last seen alive Wednesday afternoon by a deliveryman for a fertilizer dealer in Philadelphia, relatives said.

A load of fertilizer had been dumped at his home which he had planned to use it in this year's crop, the relatives continued.

A neighbor said McCrory's body was discovered when he failed to carry out his daily custom of shouting from the front porch of his home each morning. The daily shout in this section of the country has been "all is well" signal since pioneer days.

Officers could find no one who disliked the farmer. Relatives said he received a small monthly pension check for World War I Army service. He had cashed the latest check in Philadelphia the day before his body was discovered.

Once a week he drove the seven miles to town in his wagon pulled by mules. But mostly he stayed at home, farming a few acres, tending some cattle and minding two prize pigs.

Neighbors said they often saw him fishing from a small lake near his home. Officers guessed that his murdered had intended to rob him but was apparently frightened away by a motorist passing along the gravel road a few feet from where his body lay.

Barnett and Deputy Larence Rainey were joined in the investigation by Hinds County sheriff J.R. Gilfoy, Hinds Chief Deputy Frank Jones, Adams, Hinds county Patrolman Lucian Davis, Highway Patrol investigator George Woodward and members of the Philadelphia police department.

McCrory, a lifelong resident of Neshoba county, is survived by a son, Thadeaus, of Philadelphia; five brothers, Lester, Joe, Bob, Jasper and Floyd McCrory, all of Philadelphia; and a sister, Mrs. Sylvester Neese of Philadelphia.

Services will be conducted this afternoon at 2 from Henry's Chapel near Philadelphia with interment following in the church cemetery. Daws Funeral Home of Philadelphia has charge of the arrangements.



WHERE NESHOBA FARMER'S BODY FOUND

Barson Posey (left) and Lester McCrory examine the spot where the body of McCrory's brother, Mac McCrory, was found at his farm home near Philadelphia yesterday. The dog in the chair was standing guard beside the body when it was discovered.—Daily News Staff Photo by Norm Bergsma.

Miss Grayson Sticks To Story

Jackson Daily News
Memphis News

Defense Doesn't Dent Her Testimony In Mattox Murder Re-Trial

By KENNETH TOLER
Staff Writer

COLUMBUS, Miss., May 8—The key prosecution witness in the Jon Mattox murder trial Monday withstood a defense barrage aimed at discrediting her testimony that Mattox had confided in her his plans to kill a "socially prominent" Columbus mother of four children for breaking off a clandestine love affair.

Miss Sarah Grayson, former classmate of Mattox, remained composed under the biting questioning of defense attorney Hugh Cunningham.

Spurns Reward

She denied repeatedly she had disclosed the information in the hope of receiving a reward offered for information leading to a solution of the Jan. 31, 1960, coat-hanger strangulation of Mrs. Gene Cain Tate.

"A million dollars couldn't repay me for what I've gone through in doing what I thought was right."

When asked by Mr. Cunningham why she had not applied for the reward, the young daughter of a former Jasper County superintendent of education snapped:

"It is unbelievable that you would dangle that over my head because I am trying to do something that is right."

Miss Grayson said Mattox related his plans to her while they were seated in his car in front of the grill at Mississippi State on Jan. 19, 1960.

Didn't Think He'd Do It

A recent student at the University of California where her brother is on the faculty, Miss Grayson admitted she had promised Mattox not to say anything about his plans. However, she said she did not believe he would "do such a thing."

"If you promised not to say anything about it why did you change your mind," Mr. Cunningham asked.

"You can't rationalize murder," she replied.

Miss Grayson testified at resumption of the retrial Monday before Judge John D. Greene in Lowndes County Circuit Court, that Mattox had also told her about the "affair" on a picnic Nov. 4, 1959. Mattox' conviction and life sentence at the first trial a year ago was overturned by the state Supreme Court.

King Denies Guilt At Lawsuit Trial

Damages Sought For Son Of Slain Deputy William Kelly In Winona

By United Press International

WINONA, Miss., April 20. — A $75,000 damage suit against former Montgomery County Sheriff Lawrence King went to the jury late Thursday afternoon after King told the jury he is innocent of the murder for which he is serving a life term in prison.

"I'm just as innocent as I can be," said King, 53, who testified in a $75,000 damage suit against him.

The suit was filed on behalf of the 4-year-old son of William Kelly, a young deputy who was killed in January, 1960. King was accused of masterminding the slaying because of his attraction for Kelly's wife.

Testimony Denied

He denied testimony by Negro Alec Morris, who said he was hired by King to kill the young deputy. King also pointed out he had arrested Morris several times during his career as a law officer.

King did not testify in his murder trial at Meridian, Miss., last year. It ended in a mistrial when the jury could not agree on a verdict. He pleaded guilty after another jury was picked for a second trial.

He testified there were four reasons for his guilty plea.

"I was 150 miles away from home and didn't know anybody, I was unable to take the stand because I was suffering from bursitis, I had advise of attorneys to plead guilty, and I was on trial for my life."

Surprise Witness

After King left the stand, the state called a surprise witness to complete testimony in the trial. She was Mrs. Wayne Miller of Winona, who said she saw King the day of the crime by a trash dump near the home of Morris, who also is serving a life term.

Morris had testified that King left him $100 in a trash dump as down payment for the killing.

King's son-in-law, Raymond Fox, earlier had testified he and King were at the courthouse at the time Mrs. Miller said she saw King near the trash dump.

Mrs. Miller said she did not testify in King's murder trial because she was expecting a baby and had been advised by doctors not to appear in court.

Jury Seats Full In Mattox Case

May Be Challenged Today As Retrial Is Resumed In Columbus Slaying

By NORMAN MATTHEWS

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., May 1. — Twelve prospective jurors were finally seated here late Monday at the start of the retrial of Jon N. Mattox, 21-year-old former Mississippi State University student, charged with murdering Mrs. Gene Cain Tate, his next door neighbor.

Court immediately adjourned after the seating of the 12th man with neither the prosecution nor the defense using any of the peremptory challenges allotted them in such cases.

This action is expected when court resumes here Tuesday morning at 9 a.m.

Each Has 12 Challenges

Each side has 12 opportunities to excuse jurors without showing cause.

The 12th man, W. K. Singleton, a curb market worker, was seated just before 5 p.m. to conclude almost a full day of slow but intense interrogation of special veniremen.

Other prospective jurors tentatively seated were L. L. Ballard, O. T. Blalock, J. D. Neaves, Paul Richardson, Austin E. Stephenson, R. K. Duncan, Thomas E. Sanders, Gurley S. Malone, J. H. McGregor, Hobson Norris and A. B. Brock. A 13th, or alternate, juror also must be selected.

Mattox was given a life sentence at his first trial a year ago, but the new trial was ordered by the state Supreme Court on a legal tecnicality.

Attorneys on both sides, in questioning veniremen, sought the opinion eac hman—almost without exception—said he had in the case. The questions were aime dat just how deeply rooted the opinion was.

The prosecution asked if it would take new evidence or "a great deal of testimony to change your opinion." The defense used this line often, also, and asked if there was any reason not mentioned whereby a prospective juror could not set his opinion aside and give fair and impartial treatment on the evidence to be presented.

The prosecution often asked if the veniremen had any scruples against the death penalty called for in Mississippi for certain cases. They did not appear to hammer at this, but simply asked it once and let the answer stay.

Three Defense Queries

The defense asked three questions of all: They included:

"Does the fact that Gov. Ross Barnett is a member of our firm prejudice you in any way?"

"Do you know about the reward offered in this case?"

When either side obtained an affirmative answer to a question built around "Would it take a great deal of evidence to convince you otherwise?" the veniremen was dismissed. A few were dismissed for their reluctance toward the death penalty.

Garage Owner Held In Death Of Negro

Admits Being Driver Of Car That Killed Victim

Special to The Commercial Appeal

LELAND, Miss., April 25. — H. B. McCool, a local garage operator, was being held by Leland police Tuesday as the driver of an automobile that struck and killed a Negro shortly after midnight Monday.

Johnny Hamilton, the victim, was pronounced dead at City Hospital after being found at the intersection of Main and Fourth about 12:30 a.m. The body was laying near bits of glass from an automobile headlight.

Hamilton had been a maintenance man at the Temple Theater here for about 12 years.

A Delta-wide alert was put out by Leland police for an automobile with a smashed headlight. Greenville police notified Leland police Tuesday that McCool had purchased a new left headlight in Greenville earlier Tuesday morning. McCool is white.

Police Chief Vernon Underwood said McCool had admitted hitting the man. No witnesses have been found, the chief said.

Underwood said no charges have been filed against McCool but as soon as he confers with County Attorney John Webb a charge will be filed.

McCool said he was aware he had hit a man but he was so excited he just kept on going, Underwood said. He said the Negro was standing on the corner when he stopped for a red light. The traffic light changed and Hamilton stepped in front of his car as he pulled away from the light.

People in the area said they heard the impact but no one saw the accident. Underwood said he is going to talk to people in the area which heard the impact as the body was found a block north of where McCool said the accident occurred.

Negro Woman Dies Of Bullet Wounds

Dora McKenzie Shot Twice Behind Grocery Store

Special to The Commercial Appeal

HOLLY SPRINGS, Miss., April 27.—A 58-year-old Negro woman was shot to death behind her grocery store by an unidentified assailant at 10:30 Thursday morning, Marshall County Sheriff Sol Cox said.

Dora McKenzie, wife of Elvis McKenzie, the janitor at Holly Springs High School, was "shot at close range twice—once in the stomach and again in the back of the neck," Sheriff Cox said.

Oficers continued their search Thursday in all areas of the city after bloodhounds lost the trail near the store. Sheriff Cox said one Negro suspect is being held in jail for investigation.

"It is believed that more than one person is involved in the shooting. We have set up methods of checking," the sheriff said.

Sheriff Cox said it is believed the Negro woman tried fighting off the assailant with a butcher knife, which was found near her body behind the McKenzie general grocery store.

"She may have injured the person that killed her. The knife had blood stains on it," Sheriff Cox said.

He said apparently the motive was robbery, although nothing was taken from the store.

Goldsby Ordered To Die May 31

State Supreme Court Sets Ninth Death Date For Negro Slayer

By BOB PITTMAN
Daily News Staff Writer

The Mississippi Supreme Court today set May 31 for the execution of Negro Robert Lee Goldsby, twice convited for the slaying of a Carroll county white woman.

It is the ninth death date set for the 27-year-old Negro in the fatal shooting of Mrs. Moselle Nelms of Vaiden. Mrs. Nelms was shot to death on Sept. 4, 1954.

Since that time Goldsby has staged a drawn-out legal battle in which he has been tried and convicted twice and filed 17 appeals.

His first death date was set for Dec. 24, 1954, a month after his conviction in Carroll County circuit court.

His first conviction was overturned by the U. S. Court of Appears in New Orleans on grounds that Negroes were systematically excluded from the jury which convicted him.

He was retried and convicted in Hinds County after his attorneys asked for a change of venue.

There were no Negroes qualified for jury duty in Carroll County because none was registered to vote.

Voter registration, at that time, was a requisite for jury duty.

Negroes were on the jury list but none was selected when he was tried in Hinds County.

The 1960 Legislature removed the voting requirement for jurors.

Yesterdaye's execution date is the third set by the court since the second trial.

It came after the U. S. Supreme Court denied an appeal last month.

One of the grounds of the last move for appeal was that then Gov.-elect Ross Barnett served as special prosecutor.

Goldsby, 34, of Canton and St. Louis, was convicted of murdering Mrs. Nelms in the parking lot of her husband's roadside cafe and service station.

Nelms was wounded and Mrs. Nelms killed after he ordered Goldsby and his companions off his premises for creating a disturbance.

Goldsby has sat out his almost seven years of appeals in death row at Parchman State Penitentiary. His last stay of execution came only five hours before he was scheduled to enter the state's lethal gas chamber.

TRIO IMPLICATED IN MISS. SLAYING

Suspect Claims Money Offered for Death

MERIDIAN, Miss. (AP)—James Lewis, 50-year-old Negro charged with the shotgun death of constable Henry Prince, told police a white man and two Negroes offered him $1,000 to kill Prince.

Sheriff Preston Cooper of Clarke County Sunday disclosed the trio's implication by James.

Lewis said the white man was identified as Neville Smith of Enterprise and the Negro as Sidney Hall of near Meridian. The Negro woman was reported to be Hall's associate.

Cooper said all three were arrested. Smith and Hall are being held in the Lauderdale County jail. The woman is jailed in Quitman.

The new turn in the case came as Cooper and district attorney Paul Busby were questioning Lewis for more details about the shotgun and the fruit jar of shells found Friday five miles from the scene of the Jan. 18 crime.

Lewis had misled officers twice by sending them to a spot near a railroad trestle over the Chickasawhay River. Police did not tell him they had found the gun and continued questioning.

Lewis finally broke down and described the place the gun was found. It was then he implicated the other three, police said.

Smith and Hall are being held on suspicion of complicity of murder. No charge had been placed against the woman.

Sheriff Cooper said that according to Lewis' story, Smith, for some reason yet undetermined, wanted Prince dead.

Cooper said Hall and the Negro woman also had a grudge against the constable because he had once taken a revolver away from the Porter woman and fined her for carrying a concealed weapon.

Lewis told the sheriff that Smith allegedly took the handsaws from Lawrence Buckley's place and put them in a crib behind the house where Lewis was living. The constable came with a search warrant and was shot to death.

Lewis eluded a manhunt that included National Guard units before he was captured eight days after the slay.

Mattox To Face New Accusation Of Murder Plot

Sentenced Killer Indicted— Conspiracy To Slay Coed Witness Is Claimed

By KENNETH TOLER
Staff Writer

MERIDIAN, Miss., Feb. 7.—Jon Neville Mattox, sentenced to life imprisonment for the coat-hanger slaying of a Columbus, Miss., society matron, now faces trial for conspiring to murder the coed who was instrumental in his conviction.

Mattox, 21-year-old former Mississippi State University student, Tuesday was indicted by a Lauderdale County Grand Jury for plotting to murder Miss Sarah Grayson of Bay Springs, Miss.

Dist. Atty. Paul Busby said the indictment charges that Mattox offered two former jailmates in the Meridian jail $1,500 to murder Miss Grayson while she visited her parents in Bay Springs during the Christmas holidays. Miss Grayson, 20, is a junior at the University of California in Berkeley.

Appeal Is Pending

Mattox is jailed here pending a Mississippi Supreme Court appeal of his conviction for the Jan. 31, 1960, strangulation murder of Mrs. Gene Cain Tate, a mother of four and next-door neighbor to the Mattox family in Columbus. Mattox was convicted in Columbus on May 14, 1960, and sentenced to life in the state penitentiary.

A pair of Newton County brothers, Fred Junior Wilkerson, 23, and Danny Wilkerson, 18, also were indicted in the case Tuesday.

The brothers told Newton County Sheriff Jody Johnson that Mattox had offered them $1,500 to kill Miss Grayson. Investigators said the Wilkersons disclosed the plot when they were returned to Newton County from Meridian after failing to obtain bond for release on an armed robbery charge. The brothers were held in Meridian between Dec. 7 and Dec. 18, 1960, officials said.

Dist. Atty. Busby said the Wilkersons said Mattox suggested they use a shotgun to kill Miss Grayson.

Mattox' attorneys, Jesse Stennis of DeKalk and Hugh Cunningham of Jackson, said their client denies any part in any conspiracy. They said he will enter a plea of not guilty at his arraignment which may come this week. Lauderdale County officials said trial of Mattox and the Wilkerson brothers will come during this term of Circuit Court which opened with Tuesday's Grand Jury session.

Says Picture Mailed

It was Miss Grayson who, as a surprise prosecution witness, told the Lowndes County jury in Columbus that Mattox told her repeatedly he intended to kill his lover who had ended a two-year affair with him "because she loved her husband and four children more than me." Miss Grayson said Mattox never called the lover by name.

Dist. Atty. Busby said the Wilkerson brothers thought they would be released on bond from the Meridian jail. It was when they failed to make bond and were taken to Newton County's jail that they disclosed the plot, he said.

They also told the sheriff they expected a letter containing a picture of Miss Grayson for identification purposes.

"The letter with the picture was mailed to Fred Wilkerson at Lake (Miss.) and their mother took it to them in jail at Decatur," Mr. Busby said. "It was turned over to the sheriff by Wilkerson."

Mr. Busby said the indictments against Mattox and the Wilkerson brothers specifically charges them with "conspiring to commit a crime, to wit, a murder, and that the person to be killed is Miss Sarah Grayson."

Under Mississippi law, the crime is a misdemeanor and conviction carries only a maximum fine of $25 and-or six months in jail.

Negro's Death Was Caused By Car

BILOXI, Miss., Jan. 27 (UPI)—Harrison County authorities said today there was "no evidence of foul play" in the death of an elderly Negro who they first believed was murdered before being hit by a car.

An autopsy report revealed the death of Willie Strong, 68, was caused by the impact of the car, said Lt. C. E. Vann, chief of the sheriff's detectives.

Sheriff Curtis Dedeaux had said yesterday the Negro's throat had been cut "from ear to ear" and he suspected Strong was murdered before he was struck by the car on U. S. 90 west of here early yesterday.

However, Vann said two persons had seen Strong walking down the highway before the accident. He said one warned the Negro to walk on the sidewalk and the other, a woman, claimed she almost hit him with her car.

White Man Held In Woman's Death

LIBERTY, Miss.—Attempts to have Kirk Hilton Turner, Amite County white farmer released on bond in connection with the fatal shooting of a young Negro woman Jan. 14 failed last week.

The woman, Mrs. Arie Mae Williams, was killed in her home and her 17-month-old baby was wounded.

A coroner's jury ruled last last month that Mrs. Williams was shot to death by Turner at her home in the Peoria community.

OFFICERS said the pistol bullet went through the baby Mrs. Williams was holding and lodged in the woman's spine, killing her instantly.

The coroner's jury ruled at the inquest Mrs. Williams' death "was the result of negligent intent or accident" in a tussle over the revolver during a drinking and dice-shooting party in her home.

Justice of the Peace J. Houston Smith refused bond during preliminary hearing last week which had been requested by Turner's attorney, F. W. Stratton. Turner was remanded to jail until the grand jury meets on Feb. 10.

The wounded baby, confined in Beacham's Hospital, Magnolia, Miss., is reported to be on the way to recovering from the bullet wound.

Jon Mattox Seeks New Trial Today

Attorneys for convicted killer Jon Mattox were to argue to the state Supreme Court today that testimony which sent the crew cut former college student to the penitentiary for life was unbelievable.

Mattox, 20, is in the Lauderdale county jail at Meridian pending outcome of his appeal of life sentence.

He was convicted last year for the coat hanger strangulation of his attractive neighbor, 31-year-old Mrs. Gene Cain Tate, socially prominent mother of four.

His conviction was based largely on the surprise testimony of Sarah Grayson of Bay Springs, 20-year-old classmate at Mississippi State University.

Miss Grayson testified that Mattox told her of his plans to slay his neighbor.

Defense attorney Jesse Stennis argued to the jury which convicted Mattox that Miss Grayson's testimony sounded like a "dime novel."

The case, which held statewide interest during last year's trial, attracted new attention last week when Mattox was indicted in Lauderdale county for attempting to hire two jailmates to slay Miss Grayson.

The jailmates, brothers Fred Wilkerson Jr., 23, and Danny Wilkerson, 18, of Lake, were also indicted.

All three were charged with conspiracy to commit a murder.

District Attorney Paul Busby of Meridian said Mattox offered the brothers $1500 to kill Miss Grayson. They were to kill her when they were released on bond on the armed robbery charges which they faced but the plot fell through when the court refused them freedom on bond.

After the brothers were refused bond they related the alleged conspiracy to officers.

They were to kill Miss Grayson either by going to Berkeley, Cal., where she has transferred to the University of California or in Bay Springs when she came home for Christmas holidays.

Assistant Attorney General Garland Lyell was to argue the case before the Supreme Court today for the state. Jackson attorneys Hugh Cunningham and M. B. Montgomery prepared the appeal brief for the defense.



MUTED PROTEST Mrs. Gertrude Copeland, foreground, and her brother, William Duke, burst into protest immediately after a Negro woman was sentenced to two years for killing their brother, Ollie Duke, 17. Mrs. William Duke, also in tears, tried to silence them. Receiving the two-year sentence for voluntary manslaughter was Dorothy Jones, mother of seven. She said she shot young Duke last November after he cursed her.—Daily News-AP Wirephoto.

Supreme Court Refuses To Review Case Of Mississippian

Robert Lee Goldsby Must Die In The Electric Chair

By LOUIS LAUTIER

WASHINGTON, D C (NNPA) Robert Lee Goldsby, whose stay of execution by Chief Justice Earl Warren was blamed for the lynching of Charles Mack Parker by a Mississippi mob, must die in a Mississippi electric chair.

The Supreme Court, which previously upheld the reversal of his conviction by Mississippi courts, Monday refused to review his second conviction.

In Mississippi, where Goldsby was indicted, grand and trial jurors are selected from the list of registered voters. In November, 1954, at the time of his indictment, there were no colored persons on the list of registered voters of Carroll County, although there are more colored people in the county than whites.

Chief Justice Warren granted Goldsby a stay of execution so that he could appeal his conviction and death sentence to the United States Fifth Circuit Court of Appeals.

The Attorney General of Mississippi, testifying before the House Judiciary Committee, said this stay of execution caused the lynching of Parker because Mississippi whites feared they would be unable to get a conviction of Parker for rape because there were no colored registered voters in the county where the alleged crime occurred.

Mississippi law requires that a person must be a registered voter in order to serve on juries.

Goldsby was indicted Carroll County, Miss. Nov 9, 1954, for the murder of Bryant S Nelms at Vaiden, Miss, Sept 4, 1954. Nelms was shot and killed and his wife, Moselle, wounded after Nelms had ordered a group of colored persons to leave his gasoline filling station and dairy bar.

According to Goldsby, neither he nor any of his companions had said anything disrespectful to Nelms, but Nelms went into the dairy bar armed himself with an 18-inch long tire hammer and a loaded pistol, and approached Goldsby.

By that time Goldsby was at the wheel of his car. He shot and killed Nelms.

An aunt, who lived in Gary, Ind, employed George N. Leighton, a Chicago colored attorney to represent Goldsby.

Before Leighton could file a motion to quash the indictment on the ground that colored persons were systematically excluded from the grand jury, Goldsby's brother and another aunt employed a white attorney of Vicksburg, Miss.

This attorney, John W. Prewitt, told Goldsby's relatives that he could not work with the colored lawyer. The relatives requested Leighton to withdraw from the case.

After the Mississipp Supreme Court upheld Goldsby's conviction and death sentence, Leighton reentered the case. He asked the United States Supreme Court to review the case, urging for the first time the systematic exclusion of colored persons from jury duty.

The Mississippi Supreme Court then fixed the date of Goldsby's execution for Feb 24, 1956. Three days before that date, Leighton raised the same question in the Mississippi Supreme Court in an effort to win a new trial for Goldsby.

After both the United States and the Mississippi Supreme Courts had turned him down, Leighton filed a petition for a writ of habeas corpus in the Federal District Court. The petition was denied.

Chief Justice Earl Warren on Feb 11, 1957, granted Goldsby a stay of execution until he had an opportunity to exhaust his federal rights.

The Court of Appeals reversed the Federal District Court and ordered a new hearing. Federal Judge Claude F. Gayton again denied the petition for a writ of habeas corpus. The Court of appeals again reversed him, and the United States Supreme Court affirmed.

Goldsby was again tried in 1959. At the second trial, Leighton filed a motion to quash the indictment. The motion was denied. Goldsby was tried in Hinds County (Jackson), Miss. He was again found guilty and sentenced to death.

The Supreme Court this time denied him a review. The only hope now left him to escape death in the Mississippi electric chair is a motion for a rehearing, which the Supreme Court rarely grants ● commutation of his sentence to life imprisonment by Gov Ross Barnett of Mississippi.

Negro Faces Tenth Date Of Execution

JACKSON, Miss. (AP) — Negro Robert Lee Goldsby, twice sentenced to die for the 1954 murder of a white woman, faces his 10th date of execution May 31.

The Mississippi Supreme Court set the date Monday after the U.S. Supreme Court rejected Goldsby's 17th appeal.

Golsby, 33, of St. Louis, Mo., and Canton, Miss., was convicted of murder in the pistol death of Mrs. Moselle McCorkle Nelms in the parking lot of her husband's roadside cafe near Vaiden.

Goldsby had shot Nelms after an argument when Mrs. Nelms rushed to his aid. Goldsby shot her as she darted through the cafe door.

In 1959, Goldsby won a new trial from the U.S. Supreme Court on grounds Negroes were excluded systematically from juries in Carroll County. He was tried in Hinds County where Negroes were on the jury list but not on his trial jury. He was again convicted and again sentenced to death.

Goldsby also appealed — unsuccessfully — on grounds Gov.-elect Ross Barnett was a prosecuting attorney. Both the state and federal supreme courts rejected the contention.

2 Negroes Shot In Store Theft

County Official, Owner, Kills One As Burglary Is In Progress

Special To The Commercial Appeal

GREENWOOD, Miss., Jan. 8.—A Leflore County official shot two Negroes, one fatally, about midnight Saturday when he caught them gurglarizing his store between Minter City and Drew, Deputy Sheriff W. Smith said.

The store was owned by Rufus Freeman of Minter City, a member of the Board of Supervisors.

Deputy Smith identified the Negroes as Roosevelt Jordan, 35, who was killed, and James McGee, 34, of St. Louis. Both Negroes were armed.

Deputy Smith said Jordan and McGee were seen in the store by a group of teen-agers who were driving past. The young people stopped and two of them went to Mr. Freeman's house nearby to tell him about the robbery.

Mr. Freeman returned to the store with a shotgun. He told Deputy Smith that Jordan, who had come out of the store, wheeled around and aimed a shotgun at him and Mr. Freeman fired the fatal shot.

McGee shot at the youths with a pistol, then ran through the store and shot at Mr. Freeman out front. Mr. Freeman returned his fire, striking him in the leg. McGee was reported in fair condition Sunday afternoon at the Greenwood Lefore Hospital.

There were two safes in the store. One had already been broken into Friday night when about $10 was taken. It was not known whether the same two men had burglarized the store then.

Deputy Smith said Jordan had two Social Security cards in his pocket, one listing him as Roosevelt Jordan, the other listing a W. J. James. The wounded Negro said the victim was Roosevelt Jordan. His address was unknown.

Negro Mother Shot To Death Infant Wounded

Shooting Starts When White Man Invades Party

McComb, Miss., Jan. 16.—Amite County Sheriff E. L. Caston reported Monday that he had a jail full of people holding them in connection with the fatal shooting of a young Negro woman and wounding her one-year-old son.

Neither Caston nor Judge Houston Smith, who presided over a coroner's inquest, would comment on the Saturday night shooting.

Reports said that Kirk Hilton Turner, a white man, attended a party given by Arie May Williams, the dead woman. She lived in a tenant house on Turner's property. Several Negro men and another Negro woman also were present.

The Williams woman went into another room, reports said, carrying her child with Turner following her. She grabbed a .45 pistol and Turner grappled with her. The pistol fired, wounding the infant and killing his mother.

The child is in a Magnolia hospital in critical condition.

Car Strikes Negro Propped On Road

Sheriff Raps Patrol For 'Withholding Report'

BILOXI, Miss., Jan. 26.—(UPI)—A car struck an elderly Negro Thursday who apparently had been propped up on Highway 90 with broomsticks after his throat was cut.

"It looks like murder," Sheriff Curtis Dedeaux said, "and I'm in a distasteful mood about the whole thing."

He said the Highway Patrol investigated the accident at about 2 a.m., and "I wasn't notified about it until noon by a reporter."

The Negro was identified as Willie Strong, 68. He was mentally retarded, a patrolman said.

No charges were filed against the driver of the car, James F. Smith of Jackson.

"I am mad about not being informed about it by the Highway Patrol," Sheriff Dedeaux said. "I don't know if we're going to enter the case. I might turn the whole thing over to the patrol."

"I haven't had a chance to work on the case myself," he said. However, he added, a deputy reported to him that Strong's throat was cut and that apparently he had been propped on the highway so a car would hit him and it would appear to be a traffic accident.

"There's going to be some changes made in the police system around here," the sheriff said. "On a case like this, where murder is apparent, I should be notified immediately."

Negro Kills Two Children

HATTIESBURG, Miss. (AP)—A 34-year-old Negro, claiming he was depressed and under a "spell," beat two of his five children to death with a hammer today and shot and wounded his pregnant wife and another son.

Both boys, aged 2 and 4, died a few hours after their father, C. W. Gholar, a filling station attendant, went berserk in their home.

Gholar's 25-year-old wife, expecting another baby in two months, and his 9-year-old son underwent surgery. Gholar's 5-year-old son was termed in critical condition after the hammer beating.

Still another son, 8-year-old Robert, ran from the house and escaped harm.

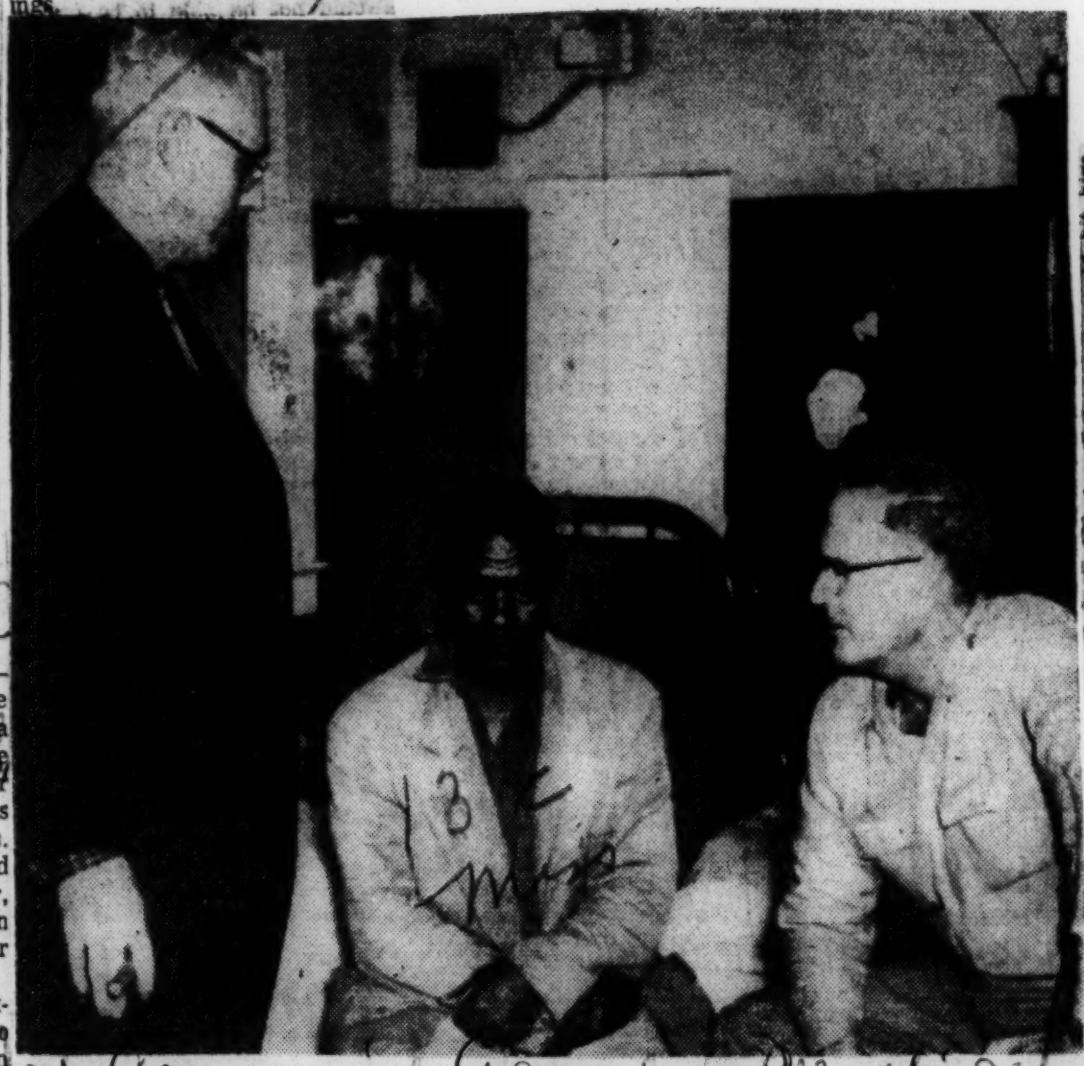
Gholar told police and newsmen:

"I'm not crazy, the only time I ever saw a doctor is when I had kidney stones."

He said around noon, he became depressed because he thought he couldn't pay the rent throught he couldn' tpay the rent and decided he could no longer support his family.

He said he grabbed his pistol and shot his wife and the 9-year-old son. Then, he said, he used the hammer on the other children after beating his wife and oldest son.

The two youngest boys, Jerry Lee and Haskell, died at a hospital a few hours after the beatings.



CAPTURED — Negro James Lewis was questioned yesterday after his arrest north of Meridian, Miss., for the shotgun slaying of Constable Henry Prince at Enterprise. Lewis, who eluded a posse including National Guardsmen for eight days, before being captured Thursday night, was questioned by Clark County Sheriff Preston Cooper (left) and Dist. Atty. Paul Busby of Meridian.

UPI Telephoto

Man Found With Throat Cut

BILOXI, Miss., Jan. 26 (UPI)—A car struck an elderly Negro today who apparently had been propped up on U. S. 90 with broomsticks after his throat was cut "from ear to ear," authorities said.

"It looks like murder," Sheriff Curtis Dedeaux said, "and I'm in a distasteful mood about the whole affair."

He said the Highway Patrol first investigated the accident at about 2 a.m., and "I wasn't notified about it until 12 noon by a reporter."

The Negro was identified as Willie Strong, 68. He was mentally retarded, a patrolman said.

No charges were filed against the driver of the car, James F. Smith of Jackson.

"I am damn mad about not being informed about it by the Highway Patrol," Dedeaux told United Press International. "I don't know if we're going to enter the case. I might turn the whole thing over to the patrol."

"I haven't had a chance to work on the case myself," he said. However, he added a deputy reported to him that Strong's throat was cut "from ear to ear" and that apparently he had been propped on the highway in order that a car would hit him and it would appear to be a traffic accident.

"There's going to be some changes made in the police system around here," the sheriff said. "On a case like this, where murder is apparent, I should be notified immediately."

White Miss. Man Held In Slaying Of Negro Mother

The Louisiana Weekly
New Orleans, La.

LIBERTY, Miss. — What apparently was an "integrated" party here Saturday night resulted in the fatal shooting of a 25-year-old Negro woman and the arrest of the white landowner on whose farm she lived.

Amite County officers on Monday charged Kirk Hilton Turner, a white man of the Peoria community, with murder in the fatal shooting of Arie May Williams. The charges were lodged after a coroner's jury ruled that the woman was shot to death by a pistol "controlled" by Turner.

Deputies said the coroner's jury convened by Justice of the Peace Houston Smith returned the verdict late Monday.

Turner was one of several persons arrested for questioning in the shooting. Officers said the woman was shot and her one-year-old son, who was in her arms, was critically wounded by the same bullet.

The shooting occurred, officers said, during a party at the woman's home located on Turner's farm. During the party, they said, she went and secured a pistol, and Turner, who had followed her into a back room, tried to take it away from her. The revolver discharged.

The charges and the coroner's jury verdict broke an official silence in the case. Earlier Sheriff E. L. Caston had declined comment other that to confirm he had a "jailful" of people for questioning.

Officers said Turner will be held in jail until the February term of the circuit court.

Negro's Guilty Plea Denied In Slaying Of Three Sons

The Montgomery Advertiser
Montgomery, Ala.

HATTIESBURG, Miss. (AP) — The district attorney Thursday refused to accept a guilty plea entered by a 34-year-old Negro who shot and killed one of his sons and beat two others to death with a hammer.

C. W. Gholar, a service station attendant, pleaded guilty to three counts of murder before County Judge William Harrelson, but District Attorney James Finch refused to accept the plea because capital charges were involved. By pleading guilty, Gholar could not be sentenced to death.

Gholar told police he was depressed and under a "spell" Wednesday when he shot his 24-year-old pregnant wife and oldest son and beat two younger sons with a hammer.

The oldest, nine-year-old Charles, died of gunshot wounds Thursday morning. Jerry, 2, and Harold, 5, died a few hours after they were beaten.

Gholar's wife underwent surgery for the gunshot wounds and doctors delivered her baby by Caesarean section, but the child was born dead.

Fear that he could no longer support his family, Gholar said, put him under the spell. He said he grabbed the pistol, shot his wife and son and then beat the other children. Another son fled from the home and escaped injury.

The court remanded Gholar to jail to be held without bond.

2 Held In Slaying Given Lie Tests

The Commercial Appeal
Memphis, Tenn.

Suspected Of Hiring Lewis To Kill Constable

JACKSON, Miss., Jan. 31.—(UPI)—A Negro and a white man held on suspicion of masterminding a shotgun slaying of a Clarke County constable were given lie detector tests Tuesday.

Negro Sidney Hall of Meridian and Neville Smith of Enterprise were given the tests at the State Highway Patrol Identification Bureau, said Sheriff Preston Cooper of Clarke County.

The two were brought there from Meridian, where they were being held on suspecion of hiring Negro James Lewis to kill Constable Henry Prince at Enterprise Jan. 18.

Cooper said it would be "at least two days" before any charges are filed.

Lewis, arrested last week north of Meridian after an intensive eight-day manhunt, told officers that Smith and Hall offered him $1,000 to kill Prince, 58, of Stonewall.

Lewis admitted to police that he blasted Prince in the chest with a shotgun when the officer went to the house where he was staying at Enterprise to question him about the theft of some saws.

Dist. Atty. Paul Busby of Meridian said the motives behind the plot to slay Prince involved "revenge." But he did not elaborate.

During the manhunt, Gov. Ross Barnett activated a National Guard unit from Quitman to prevent possible violence to Lewis.

Search Is Widened For Negro Killer

Jackson Daily News
Jackson, Miss.

ENTERPRISE, Miss. (Special)—Cold and weary officers searching for a 50-year-old Enterprise Negro who killed an unarmed constable today widened their search area throughout Mississippi.

Over 100 armed officers, National Guardsmen and deputized citizens continued to poke through barns, question Negroes and patrol the area where James Lewis killed Constable Henry Prince, 58, with a shotgun blast.

Prince, who was serving his second term as Constable of District three in Clarke county, was not carrying a gun when he went to the home in Enterprise where Lewis lived.

L. B. Buckley and Prince went to the house with a search warrant, looking for two cross - cut saws Lewis was believed to have taken.

Buckley said Lewis blasted Prince at close range with a 12-gauge single shot shotgun.

An Enterprise resident, Buckley said he pulled Prince onto the porch when he heard the Negro reloading his shotgun. Buckley ran to a nearby house to call officers.

When Highway Patrolmen and Sheriff's officers arrived the Negro had fled.

Angry armed citnzens joined over 60 officers in the search for the Negro. The Hinds county bloodhound, Wheeler, along with Chief Deputy Sheriff Frank Jones, Radio Operator Emmitt Adams and County Patrolman J. W. Richardson, went to the scene. Thick, briar-covered swamps thwarted early search efforts.

STORY DISCOUNTED

Officers continued to question Negro James Lewis Bobo, 20, who was picked up yesterday in Corinth. Bobo was brought back to Clarke county yesterday.

Bobo was reported as saying Lewis had hopped a train in Enterprise Wednesday ngiht, but had gotten off in Meridian. Officers tended to discount Bobo's statements.

Yesterday a Quitman National Guard unit with over 30 men, reported to assist in the manhunt. A Meridian National Guard helicopter covered a large part of the county before high winds grounded it.

Clarke county officers said today they were looking for a reddish, two-tone, 1953 or 1954 Ford which may have been used to take the Negro killer out of the county.

A gas station operator in Meridian said two unidentified Negroes stopped for gas at his station and sped away in a hurry. No trace of the automobile has been found.

Yesterday Medgar Evers of Jackson, state field secretary for the National Association for the Advancement of Colored People yesterday sent a telegram to Gov. Ross Barnett asking him to make sure the Negro killer was not lynched.

The wire asked Barnett to "insure that the Negro accused of the murder of a Clarke county constable be tried and given due process, according to law and not a lynch mob action, as might be indicated."

Negro Claims Payoff Made For Slaying

The Montgomery Advertiser
Montgomery, Ala.

MERIDIAN, Miss. (AP) — James Lewis, 50-year-old Negro charged with the shotgun death of Constable Henry Prince, said a white man and two Negroes offered him $1,000 to kill Prince, officers report.

Sheriff Preston Cooper of Clarke County Sunday disclosed the trio's implication by Lewis, who fired on Prince while the constable was investigating the theft of handsaws.

Lewis said the white man was Neville Smith, of Enterprise, and the Negro was Sidney Hall, of near Meridian. The Negro woman was reported to be Hall's associate.

3 ARRESTED

Cooper said all three were arrested. Smith and Hall are being held in the Lauderdale County jail. The woman is jailed at Quitman.

The new turn in the case came as Cooper and District Attorney Paul Busby were questioning James for more details about a shotgun and the fruit jar of shells found Friday five miles from the scene of the Jan. 18 crime.

Lewis had misled officers twice by sending them to a spot near a railroad trestle over the Chickawashay River. Police did not tell him they had found the gun and continued questioning.

James finally broke down and described the place the gun was found. It was then he implicated the other three.

Smith and Hall are being held on suspicion of complicity of murder. No charge has been placed against the woman.

Sheriff Cooper said that according to Lewis' story, Smith, for some reason yet undetermined, wanted Prince dead.

Cooper said the Negroes also had a grudge against the constable because he had once taken a revolver away from the woman and fined her for carrying a concealed weapon.

Lewis told the sheriff that Smith allegedly took the handsaws from Lawrence Buckley's place and put them in a crib behind the house where Lewis was living. The constable came with a search warrant and was shot to death.

Lewis eluded a manunt that included National Guard units for eight days before he was captured.

13c 1961

MISSOURI

Girl Found Brutally Slain

ST. LOUIS, Mo. (AP) — A 13-year-old girl, strangled and viciously beaten, was found Monday on a garage lot just a block from her home on the near south side of St. Louis.

The partly-clad body of Barbara Jean Black was found beneath a tractor-trailer. There was no medical evidence of rape.

Barbara Jean and two girl friends, both 13, attended a double feature of "Murder Inc.," and "Sinking of the Bismarck" Sunday night at a theater several blocks away. Barbara Jean told her friends she wanted to stay on and see a little more. They left without her.

Her distraught mother, Mrs. Naomi Black, 36, said she first looked for her daughter at the theater and in the neighborhood. She then reported her missing.

Police said the girl may have been strangled with her own belt, which was found 100 feet away in an alley with her notebook, lipstick and bobby socks.

Three persons were brought to headquarters for questioning. One, aged 15, was held for further questioning. Police said two buttons found at the scene were similar to those on a jacket the boy owned, from which several buttons were missing.

13c 1961

NEW MEXICO

Boy Admits Slaying of Classmate

ALBUQUERQUE, N. M. (AP)— A 14-year-old junior high school student admitted the bludgeon slaying of a pretty classmate Friday "because she was teasing me a lot," police said.

The boy, Danny Sisneros, son of Mr. and Mrs. Daniel W. Sisneros, of Albuquerque, was charged with murder under the juvenile code.

The victim was Janice Margarite McKerrow, 14, an honor student at the same school. Her body was found last night with her skull crushed in a small arroyo only about two blocks from her home. She was the daughter of Mr. and Mrs. Alan H. McKerrow.

Hearing Soon.

Juvenile Court Judge Edwin Swope said the probation office would investigate the case and a hearing would probably be held in a week or two. He said he presumed psychiatric tests would be made on young Sisneros.

The hearing will determine whether the boy will be tried for the crime as a juvenile or as an adult in District Court.

Police said the slaying occurred several hours before the body of the girl was found at 7:50 p.m.

She had been beaten repeatedly about the head with a cinder block. The block was found lying on her face.

Young Sisneros, who lives only about four blocks from the girl's home, was arrested at his home about three hours after the discovery of the body. He admitted the slaying, police said.

Police Chief Paul Shaver said the boy reported he "seized a rock (cinder block) and hit her because she was teasing and laughing at me," while the two were walking home from school.

Schoolgirl Dies From Rock Attack By Classmate

ALBUQUERQUE, N.M. (AP)— A teen-age girl was found beaten to death in a ravine near her home and police said a schoolmate admitted hitting her on the head with a rock.

The battered and tumbleweed covered body of Janice McKerro

Negro Prisoner Beaten, Dies; Guard Jailed

The Atlanta Constitution
Atlanta, Ga.

CLARKSDALE, Miss. (UPI)—A white man is serving a 30 - day jail sentence for maltreatment of a Negro prisoner a few hours before his death, it was learned today.

Pat Williams, who was hired by Coahoma County to oversee its prison works details, was accused of beating the Negro with a switch and refusing to get medical aid when he had a heat stroke.

The Negro, Lover Stapleton of Detroit, died in the jail soon after returning from a work project last August.

Williams was sentenced and fined $100 Feb. 2 after being indicted and convicted for "maltreatment of a prisoner."

Authorities were hesitant to discuss the case, which came to light when a Methodist minister wrote about it in a letter to a newspaper.

But it was learned that the indictment charged Williams with striking Stapleton about the shoulders with a switch. The indictment said Stapleton had a heat stroke and, instead of taking him to a doctor, Williams left him in a truck for 90 minutes.

"In his letter, the Rev. Murray Cox of Gulfport said a death sentence would have resulted if the accused were a Negro and his victim a white man.

"Such incidents stir up anger on the part of Negroes," said Cox, who is chairman of the Civil Rights Commission's state advisory committee.

Cox called the sentence "ridiculously light" but he said he was not recommending a death sentence for Williams.

Trial Of Mattox Set For Feb. 24

The Commercial Appeal
Memphis, Tenn.
2-9-61

Convicted Slayer Denies Plotting Murder Of Girl Witness

By United Press International

MERIDIAN, Miss., Feb. 8.—The trial of convicted slayer Jon Mattox on charges of trying to arrange the murder of a girl whose testimony helped convict him has been set for Feb. 24.

Circuit Judge William J. Gunn set Mattox' trial for conspiracy to murder Sarah Grayson after the former Mississippi State University student pleaded innocent Wednesday at his arraignment.

Mattox, 21, was indicted here Tuesday and accused of offering two jailmates $1,500 to kill the 20-year-old girl, now a junior at the University of California at Berkeley.

The Mississippi Supreme Court is scheduled to hear arguments on his motion for another trial at Jackson Monday.

Neighbor Strangled

In Mattox' murder trial last May, Miss Grayson testified the youth confided to her while they were students at Mississippi State University that he was having a love affair with a married woman.

Mattox was given a life sentence for the murder of Mrs. Gene Cain Tate, 31, the wife of a prominent businessman and mother of four. The former beauty queen was strangled with a coat hanger Jan. 31, 1960, in the garage of her fashionable house, next door to the Mattox home.

Mattox, who is held in Lauderdale County Jail here pending his appeal, is accused of trying to hire brothers Fred Wilkerson, 23, and Dannie Wilkerson, 18, to kill Miss Grayson with a shotgun while she was at her Bay Springs, Miss. home for the Christmas holidays.

Negro Father Kills Two Sons

The Commercial Appeal
Memphis, Tenn.
1-26-61

Wife And 2 Other Children In Critical Condition —Hammer Used

By United Press International

HATTIESBURG, Miss. Jan. 25.—A Negro father killed two of his young children Wednesday and shot and beat with a hammer three other members of his family he said, "was better off dead."

A neighbor said W. C. Golar told him he was "killing up all his family" and to call the police, the children are suffering."

Sons Die

Terry Lee, 2, and Harold 5, died shortly after their arrival at a hospital. Terry had been shot in the temple and beaten with a hammer. Harold died of hammer wounds on the head.

When authorities arrived, Golar threw a 45-caliber pistol out of his duplex apartment and surrendered. A blood-stained hammer was also found by officers.

A policeman quoted Golar as saying he was broke, the rent was due, and the family "was better off dead."

"I didn't have any fuss with the family," the officer quoted Golar as saying.

Not Expected To Live

Doctors said a 4-year-old boy, Haskell, was not expected to live. He was beaten in the head with a hammer. Golar's six-month pregnant wife, Willie May, was shot twice and was listed in critical condition.

Charles Ray, 9, was listed in poor condition after being shot once and beaten with a hammer.

Another child, 8-year-old Robert, broke away from his father and ran to a nearby school to get an older brother, authorities said.

Officers said they assumed Golar, who is a service station attendent, went berserk. They said after he was locked in county jail he appeared normal and at ease.

He will be charged with murder, officers said.

Carnival Worker Is Arrested In Murder Of Wife, Daughter

The Commercial Appeal
Memphis, Tenn.
2-2-61

From The Commercial Appeal Greenville, Miss., Bureau

GREENVILLE, Miss., Feb. 1—Lloyd Franklin Sapp, 30-year-old carnival worker with a head injury from the Korean War, has been arrested and charged with the murders of his wife and 9-year-old daughter.

Trapped at a roadblock on Highway 1 and U. S. 82 at 8:30 Wednesday morning, Sapp surrendered to officers, who said he admitted he had strangled his 35-year-old wife and their daughter, Gloria Sapp.

Chief W. C. Burnley Jr. said Sapp could not give any reason for the twin murders, which occurred about 9:30 Tuesday night at the Sapp home some 300 miles southeast of here in Waveland, in Hancock County.

A Hancock County coroner's jury ruled the deaths "due to suffocation" an directed that murder charges be filed against Sapp. He is being held here until officers from Bay St. Louis arrive to return him there.

Investigation Under Way

Bay St. Louis officers said an investigation is being conducted to determine if the 9-year-old girl was criminally assaulted. The bodies of the child and the mother were found at 7 a.m. Wednesday.

Chief Burnley said Sapp told officers he had taken his daughter to town after a Mardi Gras program at her school Tuesday, then strangled her on the way home.

He arrived home about 9 p.m. and told his wife what he had done, then strangled her.

Sapp said he took the bodes of his wife, dressed in street clothes, and his daughter, still in her gay Mardi Gras costume and placed them side by side on the double bed, joining their hands together.

The bodies were discovered by two neighbors after one, Mrs. Robert Lucas, heard the children crying and got John Rega, a neighbor to go with her to investigate.

Bodies Found

Hancock County Sheriff Gerald V. Price Sr. and Mrs. Lucas asked the younger boy what was wrong and he told her his mother was dead.

"Your mother's not dead," she told him, and he answered, "Yes mam, she is."

Mrs. Lucas and Rega found the bodies and called officers to the family's five-room frame house.

Officers said Sapp was drawing [illegible]

No Sense to Note

Price said officers had no idea what Sapp meant in the second of his notes, addressed to a "Fran and Bob" and reading:

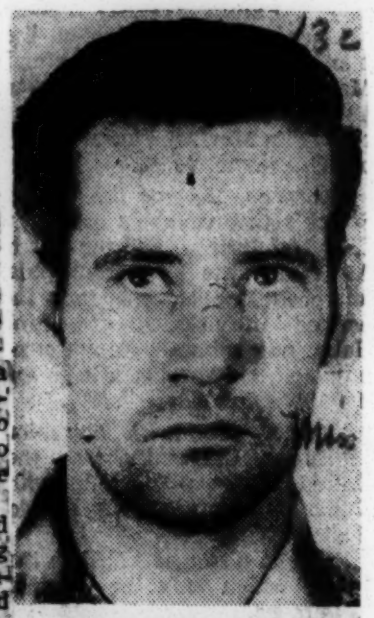
"I wish things could have been different. Call the law and send them after me. Please help me. I am going to try to get away. I am just going to run."

The third note had been placed in the children's room and it said:

"Don't wake mama up."

Mayor Garfield Ladner of Waveland said Sapp had not been employed since arriving in Waveland three months ago. Ladner said the murdered girl and the other children attended Waveland schools.

The children were turned over to the Welfare Department for care.



Lloyd Franklin Sapp

3 implicated in murder by suspect

The Afro-American
Baltimore, Md.
2-11-61

MERIDIAN, Miss. — Clark County Sheriff Preston Cooper disclosed here last week that a white man and colored man and woman have been arrested and jailed in connection with the murder of a constable.

All three were picked up, Cooper said, after James Lewis accused the three of offering him $1,000 to kill Constable Henry Prince Lewis. James 50, was captured after an eight-day manhunt.

The sheriff said Lewis told him that the constable was shot when he came to his house with a search warrant to look for some handsaws allegedly stolen by Nevile Smith of Enterprise.

Smith, the white man, and Sidney Hall are in Lauderdale County jail charged with suspicion of complicity of murder. The woman, jailed at Quitman, hasn't been charged.

Court Reverses Ruling In Coat-Hanger Slaying

JACKSON, Miss. (AP) — Jon Mattox, 20-year-old Mississippi State University junior, won state Supreme Court reversal Monday of his conviction and life sentence for murder in the coat-hanger strangulation of his neighbor.

The reversal was ordered after the court noted a lie detector test— not admissable as evidence in Mississippi—was used to bolster the validity of the convicting testimony.

Mattox was convicted largely upon the testimony of Miss Sara Grayson of Bay Springs, his classmate, who said he told her before the slaying that he had planned, a coat-hanger garrotting of a neighbor woman who had broken off an affair with him.

FAMILY IN CHURCH

Mattox's neighbor, 31-year-old Mrs. Gene Cain Tate of Columbus, was strangled with a coat hanger in her garage Jan. 31, 1960, while her family was in church.

Miss Grayson said in court she had taken a lie detector test about the information in her testimony. The Supreme Court noted the inference was that she had passed the test, thus bolstering her testimony.

"We hold," the Supreme Court said, "that neither the taking of a lie detector test nor the result thereof should be admitted in evidence."

OTHER VIOLATIONS

The court said it could find no evidence that any state supreme court permitted lie detector tests as evidence because such tests were not scientifically advanced to be accurate.

The Supreme Court decision, written by Justice Robert Lee Jones, warned the next trial court against permitting any inference that Mattox was guilty of other law violations. During the trial, inferences were made that Mattox was suspected of having burned old main dormitory at Mississippi State University.

While in Lauderdale County jail awaiting results of his appeal, Mattox was charged with conspiring to hire two jail mates to kill Miss Grayson when she returned home on Christmas leave.

Brother Dies Dueling Cop

GREENVILLE, Miss. — (UPI) — I. L. Thornton, 27, died Tuesday of a bullet wound inflicted by his policeman brother early Sunday when Thornton resisted arrest.

Before he died, Thornton said he forgave his brother for shooting him. "He had to do it," the dying man said.

The brother, James Thornton, 28, was patrolling his beat along Nelson st., before dawn Sunday when he found his brother drunk and using profanity in a cafe. The patrolman told his brother he was under arrest but when he telephoned police headquarters to send a patrol car, his brother came at him with a knife.

Thornton said he told his brother to sit down and be quiet. The policeman fired at his brother's knife hand but the bullet glanced off into the abdomen.

Police Chief W. C. Burnley said witnesses confirmed the story.

Town Awaiting Mattox Retrial

Young Defendant Returns To Lowndes Jail As Date Nears

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., April 19.—Jon Mattox, who faces a second trial in the coat hanger murder of Mrs. Gene Cain Tate here nearly 15 months ago, was returned to Lowndes County Wednesday after spending nearly a year in the Meridian Jail pending his appeal to the Supreme Court.

Mattox was convicted here last May and sentenced to life imprisonment at hard labor for the murder of the young socialite, his next door neighbor, in January, 1960. Last month, the Mississippi Supreme Court threw out the conviction and ordered a new trial.

Judge John D. Greene Jr. of Starkville set Monday as the date fo rthe new trial.

Sheriff W. T. Spruill returned Mattox here Wednesday afternoon in preparation for the convening of court Monday. He was accompanied on the trip by State Representative Luther Sims of Columbus, a member of the mushrooming defense counsel team.

He Can Roam Around

Mattox was not placed in a separate cell, but turned into the quarters for white males where all cell doors are left open into a central hallway. This permits prisoners to roam around from cell to cell and have access to visitors at the main door into the quarters.

Sheriff Spruill emphasized, however, there would be no visitors allowed for Mattox, no interviews and no pictures—possibly not any during court session Monday, either.

"This thing has been publicized enough," he declared and then added that he had "already received instructions from the judge to make things different this time."

He said no one would be allowed in the ancient courtroom this time unless he or she has a seat. There will be no standing in the aisles. A deputy will be placed at each door, and another at the back stairway coming up behind the judge's bench.

Floor Sagged

At the trial last year, the crowds were so great they overflowed onto the judge's platform, filling every available inch in the courtroom. The jury sent out a note at one time and told the judge they had noticed the floor had sagged in the jury box sector.

Mattox' return here set off a new surge of speculation over whether the trial will be staged in Lowndes County.

Dist. Atty. Harvey Buck said in West Point he had not made up his mind whether to fight a change of venue—if it is asked by the defense—because it "all depends upon the grounds it is sought."

Should a change be ordered, Mr. Buck said, he would suggest Clay County with its new facilities in West Point. He said the nearness of Clay County would have Lowndes money, as Lowndes must bear the expense of the trial wherever it is staged.

He said he does not anticipate any action in the Mattox case next week other than legal maneuvering for a change of venue or requests for special jury panels.

Jury Is Selected For King Lawsuit

Ex-Sheriff's Lawyer Loses Plea To Move Trial

WINONA, Miss., April 19.—(AP)—The Montgomery County Circuit Court Wednesday completed jury selection in the $75,000 damage suit filed by the son of slain deputy sheriff William Kelly against former sheriff Lawrence King.

More than 75 prospective jurors were dismissed on grounds they had fixed opinions about the case before the 12 jurors were named.

Defense Attorney J. P. Coleman made several motions for a change of venue, but was overruled each time by Judge Marshall Perry.

King was convicted of hiring two men to kill Kelly so he could have Kelly's pretty wife. He was sentenced to life imprisonment.

Brad Dye, attorney for Jeffrey Lee Kelly, 3, said in his opening statement the boy would be the only person who would benefit from damages recovered. He said Mrs. Kelly had put herself in a legal position where "she could not receive a dime of the money."

Mr. Coleman said King had pleaded guilty in a criminal trial in order not to gamble his life with a jury.

He said since this trial is for money, and not King's life, the defendant denies he is guilty.

Mattox Retrial Is Set April 24

Defense Attorneys Expected To Request Move From Lowndes

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., April 7.—Circuit Judge John D. Greene Jr. Friday set April 24—opening day of the regular term of Circuit Court here—as date for the retrial of the Jon Mattox murder case.

The date was set providing the Mississippi Supreme Court mandate ordering the new trial is received by Lowndes County Circuit Court officials by that time.

Change Of Venue

Mattox, who was found guilty by a jury here last May and sentenced to life imprisonment, is expected to make his first appearance from behind bars on that day, but it is still unlikely that he will face trial immediately.

Even if the former student's attorneys should not seek a change of venue—as they are expected to do—the opening hours of the court here will be taken up with selection and empaneling of petit and Grand Juries to serve during the first week of court. Trial dates on all cases and motions also will be set that day.

Mattox was indicted early last year by a Lowndes County Grand Jury in connection with the January, 1960, coathanger strangulation of Mrs. Gene Cain Tate, attractive Columbus society matron and next door neighbor to the Mattox family.

The state Supreme Court ordered a retrial for him because the jury hearing his case was allowed to know that a star witness for the state had taken a lie detector test.

Virtually everyone except the principals on each side—who are keeping unusually quiet now—expect that on April 24 defense attorneys will enter a motion for a change of venue and a date will be set for a hearing on that matter. Should Judge Greene overrule such a motion, if it is entered and heard, then almost certainly a special venire would be called for the trial and that takes a number of days.

Maddox In Meridian

Mattox, who has been held in the county jail at Meridian since his conviction here last spring, will be moved here in time for the opening day of the term and will stay until the case is decided, court attaches said.

A case that came up during his trial was the only other set on the criminal docket this time. Judge Greene set May 2 for the trial of Roy Earl Pierce, indicted last May 9 for the fatal shooting of a Starkville truck driver at Artesia. Pierce is charged with manslaughter.

Barnett Refuses To Intervene In Negro's Case

PARCHMAN, Miss. (AP)—William Stokes, 21-year-old Laurel Negro, was scheduled to die in the gas chamber at the state penitentiary at 12:01 a.m. Friday for the murder of a Laurel woman.

Gov. Ross Barnett refused Tuesday to intervene in the case after relatives appealed and asked Barnett to commute the death sentence to life imprisonment.

Stokes was convicted and sentenced to death in the fatal stabbing of Mrs. Eula Clark, about 45, who was alone in her neighborhood grocery when attacked on March 3 last year.

She was clubbed and stabbed 17 times with a knife, believed to have been a butcher knife from the meat market in the grocery. About $100 was taken from the cash register.

13c 1961

MAN FACES CHARGES IN CHILD'S SLAYING

TRENTON, N. J. (UPI)—A 28-year-old warehouse worker faced arraignment today in the murder of an 8-year-old neighbor girl which mysteriously involved his brother.

Police arrested Leonard J. Nawrocik at his home. Prosecutor Stanley Rutowski said Nawrocik signed a confession admitting he murdered the girl, Mary Helen Jablonski in his garage Thursday night.

The suspect's brother, Carl, 22, reported finding the nude body to Pennsylvania authorities. He told police he saw the girl's legs jutting out of the water as he drove along the canal after fishing in the river. Authorities said his story was "doubtful."

Rutkowski quoted Leonard Nawrocik as saying he enticed the girl into the garage, fondled her, then put his hands over her nose and mouth and suffocated her because he was afraid she would tell her mother.

The prosecutor said Nawrocik put the girl's body in an automobile, drove across the Delaware River into Pennsylvania and dumped her nude body in a canal.

The girl, a third grade student, vanished Thursday after telling her mother she was going out "for some air." The mother was waiting on a customer in a candy shop at the time.

She was the object of a door-to-door, block-to-block search by officers, neighbors and K9 German shepherds for 24 hours.

Two Negroes Face N. J. Murder Trial

ELIZABETH, N. J. — Two Negroes, Joseph W. Maxey, Jr., 23, and Loreile Parks, 22, went on trial for their lives in Union County Court here Monday charged with the murder of two socially prominent women, including a South Carolina native, in a secluded field last May 26.

The pair is accused of slaying Mrs. Eleanor Tyson, 50, of Plainfield, and Mrs. Eleanor Ewell, 51, of Westfield and formerly of Hampton, S. C.

A panel of 60 possible jurors were present but only one had been selected late Monday. Officials expect it to take more than a week to pick the 14-member jury.

New Jersey police say that Parks has admitted assaulting and strangling Mrs. Tyson; Maxey, according to the officers, said he killed Mrs. Ewell by running over her with her own 1960 white Cadillac after she tried to flee the two men.

The car had stalled en route home after a dinner party.

History will be made by the trial. This will be the first jury in New Jersey history that will not be locked up. At the end of each day's court, the jurors will be instructed not to discuss the case and will be released to go home.

Judge Ervin S. Fulop, in view of the new policy, has asked that jurors names be withheld until a later date.

Union County Prosecutor H. Douglas Stine is handling the case for the state. Court appointed lawyers Joseph G. Barbieri, of Elizabeth, and Bryant W. Griffin, of Summit, will handle the defense.

According to New Jersey police, Mrs. Ewell's body was found crumpled under the front wheel of her Cadillac. Officers said that she had been run over more than once by the vehicle.

Mrs. Tyson was discovered strangled inside the auto.

Police said the two women and Mrs. Ewell's son James, 23, and Mrs. Tyson's husband had earlier attended a party at a South Plainfield nightspot. Mr. Tyson, officers said, left for home early because he felt ill. James was left to take the two ladies home.

James, who according to police, had been drinking heavily apparently took the wrong road. He stopped on North Avenue near the Plainfield-Union Water Co. office —a spot seldom traveled after midnight.

James then got out of the Cadillac and telephoned an employe at the Mack company after obtaining permission to use the telephone inside the water plant from the night watchman. A taxi dispatched to the scene. Cab driver Wilbur Morris, recognizing Mrs. Ewell, was told that the car wouldn't start.

James, who did not return to the car, was found later in the water plant.

As Mr. Morris raised the hood, he told police, a car with two Negroes drove up. One of them got out and started the motor.

Mr. Morris volunteered to drive Mrs. Ewell home and to call another taxi for Mrs. Tyson. As he talked with the dispatcher over his car radio, Mr. Morris told police that he saw the man who had helped him slam down the hood leap into the driver's seat and drive off with the two women. The second man followed.

Mr. Morris, after calling the police, followed the two cars for about three miles before losing them. Police discovered the Cadillac about a mile from the scene of the abduction three hours later about four and a half blocks from Park's house.

Mrs. Ewell grew up in Hampton. A graduate of Hampton High School, she taught the first grade at a local school a short time after graduation from Limestone College. She was a member of the All Saints Protestant Episcopal Church of Hampton. She was returned home for burial.

The two Negroes worked as car washers for a Plainfield auto dealer. Maxey, a native of Virginia and on the payroll for more than a year, was regarded as "a good steady worker" by his employer who said that he was about ready to fire Parks for being "arrogant."

Parks, a bachelor lived in a rooming house near the area in which the slayings took place. He was described by police as being "a talkative liar."

Maxey lived in Dunellen, several miles from Plainfield. The father of two-and-one-half-year-old daughter, he persistently denied having any part in the crime.

NEW JERSEY

Rape-Slayer Admits Part In Murder

PLAINFIELD, N.J. (AP)—One of the two young Negro suspects in the rape-slaying of two middle-aged women has admitted one murder and accused his cohort of the other, according to police.

The suspects—Lorelle Parks, 22, of Plainfield and Joseph Maxey, 23, of Dunellen—were to be arraigned on murder charges at 5 p.m. today.

The signed statement by Parks climaxed nearly a full day of questioning Friday. The alertness of a taxi driver and a Scotch Plains policeman helped locate Parks and Maxey within hours after the double slaying was discovered.

The dead women were Mrs. Elliott C. Ewell, 49, of Westfield and Mrs. Robert Tyson, 50, of Plainfield, both socially prominent. Mrs. Ewell was the wife of the executive vice president of the Mack Truck Co. of Plainfield; Mrs. Tyson's husband is a New York stockbroker and former Mack executive.

The women's bodies were found along with the Ewells' white Cadillac in which they had been abducted. Mrs. Ewell's body, stripped from the waist down and with her red silk dress pulled up over her head, was found crumpled under the front of the car. Detectives said she had been run over more than once as she apparently tried to flee.

Mrs. Tyson's body was found inside the car. Clothing also had been torn from her.

Detective Capt. Ernest Phillips said Parks had signed a statement admitting he strangled Mrs. Tyson after having relations with her. Parks accused Maxey of causing the death of Mrs. Ewell, Phillips said.

"He (Parks) said he had relations with her (Mrs. Tyson) first and the killing was done in a fit of passion," Phillips said.

Phillips said this story seemed "more likely" than Parks' earlier statements naming Maxey as "the perpetrator of both of these murders."

According to Parks, Phillips said, Maxey took Mrs. Ewell out of the car and ran the Cadillac back and forth across her head five or six times.

Maxey, however, claimed he never saw the women and never was in the Cadillac, Phillips said.

Phillips said both Parks and Maxey had been drinking prior to the murders of which they are accused.

Police arrested Parks and Maxey as a result of tips from Scotch Plains patrolman John Trembicki who spotted the pair in Maxey's black 1951 Chevrolet around midnight and jotted down the license number, and cab driver Wilbur Morris, who said he witnessed the abduction of the two women.

2 Executives' Wives Kidnaped, Slain

The Atlanta Constitution

13c Atlanta, Ga.,

By ALAN LEVIN

PLAINFIELD, N.J. (AP)—Two middle-aged socialites—one of them a grandmother—were abducted and slain early Friday. From the appearance of their seminude bodies, authorities surmised that they also had been molested sexually. P-1

Acting on tips from an alert patrolman and a cabbie who knew one of the victims, police picked up two young Negroes. They were held on suspicion of murder.

Sat. 5-27-61

After a day of questioning, Union County Prosecuter H. Douglas Stine announced that one of the suspects, Lorelle Parks, 22, of Plainfield, named the second suspect, Joseph Maxey, 23, of Dunellen, as "the perpetrator of both of these murders."

Parks also claimed that Maxey raped both women, Stine said.

Earlier in the day both men had denied participating in the crimes, although they admitted being at the scene where the bodies were found.

But Detective Daniel Hennessey told newsmen: "They both implicated themselves so far that they can't get out of it."

The dead were:

Mrs. Elliott E. Ewell, 49, of Westfield, the wife of the executive vice president of the Mack Truck Co. of Plainfield.

Mrs. Robert Tyson, 50, of Plainfield, a grandmother and the wife of a New York stockbroker and former Mack executive.

(Mrs. Ewell, the former Eleanor Sample, and her husband lived in Atlanta from 1944 until 1950, during which period Ewell headed the Atlanta division of Mack Trucks, Inc.

(The Ewells, who lived on Peachtree Battle Avenue, NW, were members of East Lake Country Club and several civic organizations. Ewell was transferred from Atlanta to Plainfield in 1950. P-8

(Mrs. Ewell, a native of Hampton, S.C., was the daughter of a Hampton physician, the late Dr. J. L. Sample, and a graduate of Converse College.)

The Atlanta Constitution

While doctors examined the bodies, Union County Prosecutor H. Douglas Stine said: "From the appearance at the scene this morning, there seems to have been a sexual attack."

RUN OVER BY CAR

The body of Mrs. Ewell was found crumpled under the front wheel of her white 1960 Cadillac. Detectives said she had been run over more than once, apparently as she tried to flee.

Mrs. Tyson was found strangled inside the car.

Sat. 5-27-61

The auto was found nosed into underbrush in a deserted field.

Garments were found strewn in the field.

Also found in the car was Mrs. Ewell's puppy poodle, "Mimi." The dog was unhurt and asleep.

The key to the car and a wallet belonging to one of the women was found in Parks' possession, police said.

Police credited the quick arrests to Patrolman John Trembicki of Scotch Plains and Wilbur Morris, a taxi driver who witnessed the abduction shortly after 1 a.m.

Police were holding Morris as a material witness.

Trembicki had spotted a black 1951 Chevrolet around midnight and jotted down the license number because the car looked suspicious. When he heard of the double slaying on the police radio four hours later, he called Plainfield police, who traced the car to Maxey. Detectives said Maxey implicated Parks and both were arrested.

TOOK WRONG ROAD

The two women, Mrs. Ewell's son, James 23, a Columbia University student, and Mrs. Tyson's husband, attended a party Thursday night at Herm's restaurant, a South Plainfield night spot.

Tyson left early because he did not feel well. James was driving the women home.

Police said that James had been drinking heavily and quarreled with his mother who said she thought he was in no condition to drive.

James apparently took the wrong road and at 1 a.m. he stopped on North Avenue near the Plainfield-Union Water Co. office—a spot little-traveled at that hour.

STARTED ENGINE

James got out of the car to phone for a taxi. Police were not certain if the car stalled or if his mother asked him to call the cab. He called an unidentified employe of the Mack company who in turn ordered a cab. The cab company sent Morris, who recognized Mrs. Ewell. She told him the car wouldn't start.

As Morris raised the hood, he told police, a car with two Negroes drove up. One of them got out, tinkered with the engine, and started the motor.

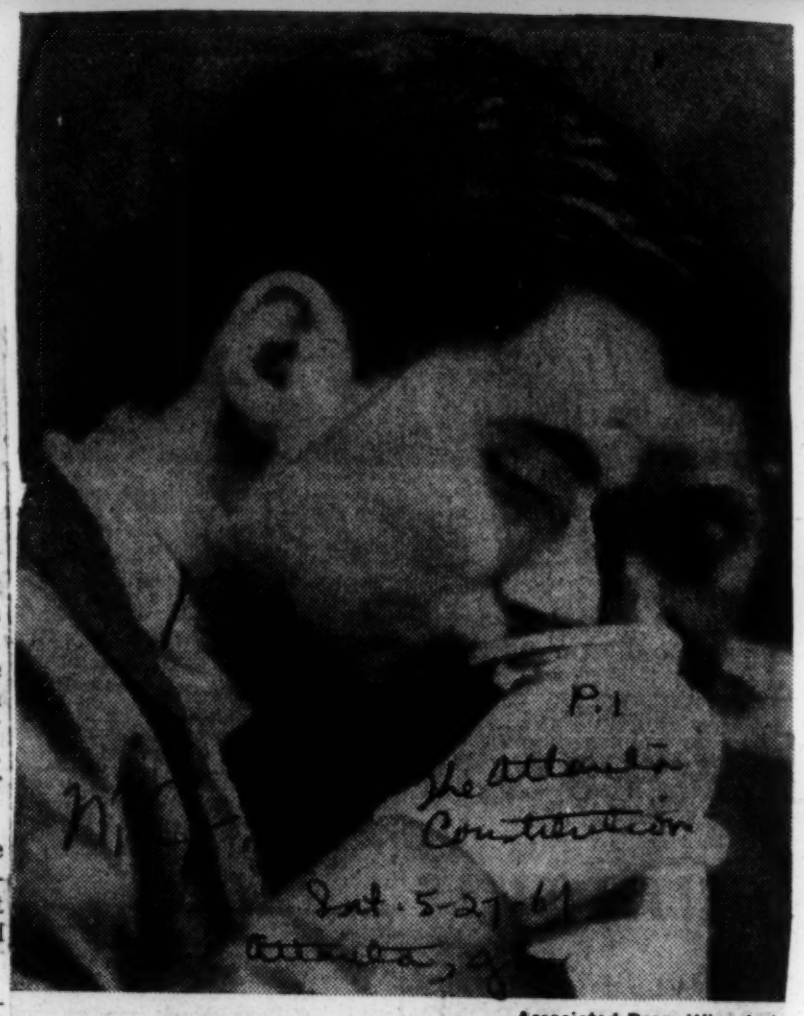
The cabbie then told Mrs. Ewell he would drive her home in her car after calling another cab for Mrs. Tyson.

SPED OFF

Morris told police that as he was talking to his dispatcher over the cab's radio telephone, the man who helped him start the Cadillac slammed the hood down, leaped into the driver's seat and sped off with the two women. The second man drove off in the Chevrolet. Neither used car lights.

Morris said he notified police and then followed the cars for three miles before losing them.

Police found the missing Cadillac with the two bodies about a mile from the scene of the abduction three hours later. It was about 4½ blocks from Park's house.



Associated Press Wirephoto

SIPS COFFEE AS POLICE QUIZ SUSPECTS

James Ewell, 23, Son of Former Atlanta Resident

13c 1961 NEW YORK NOV.

Youth Admits Sex-Slaying Of Two Boys

NEW YORK (AP)—Police said a youth confessed Sunday night to the knife slaying of two Brooklyn boys in a fit of sexual frenzy.

Asst. Chief Inspector Raymond V. Martin identified the youth as Israel Santiago, 17, of Brooklyn, a native of Puerto Rico.

Martin said Santiago had come upon Augustin Trinidad Jr., 13, and Jaime Luis Ruiz, 9, playing in a weeded marshland and stabbed the older boy 25 times when he refused to submit to an unnatural sex act.

Jaime ran for help, Martin said, and tried to ward off the attacker, flailing at him with his suspenders in a pitifully futile gesture. The slayer tied up the boy with his own suspenders, ten stabbed him 30 times, leaving him beside his dead friend.

The stab-riddled bodies of the two boys were found in the Canarsie marshland last Tuesday night, setting off a massive manhunt. The area was a favorite playground for neighborhood children.

LOW-INCOME AREA

Police throughout the city questioned known sex offenders, molesters of children, and mental patients.

In te low-income area where the boys had lived, populated by many families who came to New York from Puerto Rico, police conducted a round-the-clock investigation.

Martin said Santiago was picked up in the company of a friend Sunday afternoon on a confidential tip.

"Shortly afterward," said Martin, "the youth broke down and confessed."

When last seen alive, Augustin and Jaime were riding off on a bicycle. Martin said they apparently had gone to the marshland —an area situated behind a bowling alley—to play.

MET BOYS

Santiago also had gone to the area and met the boys there, Martin said. He attempted to perform an unnatural sex act with Augustin. The boy resisted.

Santiago knocked him down, tore off his clothes, bound him hand and foot and stabbed him repeatedly in a fit of sexual fury, the inspector said.

Jaime, seeing the struggle, ran off for help.

Unable to find anyone else in the area, he reappeared at the scene in time to watch Santiago plunge a kitchen paring knife into Augustin's body, Martin said.

In a heroic attempt to fight the intruder off, Jaime took off his suspenders and flailed at Santiago with them. The youth easily overpowered the boy, tied him up with his own suspenders, and stabbed him with the same knife, Martin said.



AP Wirep

CONFESSED SEX-SLAYER UNDER ARREST
Police Says Israel Santiago Admitted 2 Slayings

Negro cop dies fighting gang

NEW YORK, Nev. 4 —(AP)— An off-duty patrolman was shot to death last night as he attempted to halt a mushrooming juvenile Negro gang dispute in Brooklyn.

The Port of New York Authority patrolman, Hitler McLeod, 27, died in a hospital after being shot twice by a Negro in a car that was trying to run down half a dozen others on the street, police said.

McLeod emptied his revolver at the fleeing car, police said.

McLeod also was a Negro.

Police Charge Two Cousins With Murder

GUNTERSVILLE, Ala. (UPI)— Authorities here Saturday filed first degree murder charges against 14-year-old James Stapler and his 11-year-old cousin William Earl Franks in the slaying of a postman at Grant.

Circuit Solicitor W. D. Wilkes Jr. filed the charges which could carry the death penalty for the Stapler boy if he is tried and convicted as an adult.

Robbery charges were also filed against both boys accused of stealing money from the slain rural mail carrier, shooting him and setting his car on fire.

Stapler, whose alarm Wednesday brought fire engines to the burning automobile of Joseph R. Thompson, 36, was jailed when his cousin implicated him in the death, according to Sheriff Warren Jones.

Wilkes said Franks will be tried as a juvenile while authorities may decide to try Stapler as a juvenile also.

INTENDED VICTIM

The youths told officers they had planned for some time to commit a robbery, originally singling out a milkman as their intended victim. The postman was substituted after the milk delivery man changed routes, the youths said.

The planning, done mostly by the elder cousin according to the sheriff, came to a head Tuesday night and Wednesday was decided on as the day for carrying it out.

Franks told the officers he hid behind bushes near a mailbox where he had raised the flag to indicate a mail pickup, and when the mailman stopped his car, ran out and at gunpoint directed him to drive to a deserted area.

He said when the car stopped he took Thompson's watch, several books of stamps and about $25 in cash. Then he shot Thompson, and sounded the horn on the car to summon his cousin.

HANDED MATCHES

The sheriff quoted Stapler as admitting he went to the car and handed Franks a pack of matches, and directed him to set fire to the car to "destroy the evidence."

An autopsy showed the mailman, shot three times in the head with .22 caliber bullets, was still alive when the fire was started.

Jones said a second youth was linked in the crime because of the money which was missing, despite Franks' statements he committed the slaying alone. Late Thursday night after lengthy questioning, however, the boy implicated the cousin, the sheriff said.

Negro Faces First Degree Murder Rap

ANDALUSIA (Special) — Ansley Knight, 29-year-old Negro, has been indicted for first degree murder by a Covington County grand jury for the slaying of Farris Russell, a Florala cab driver.

The grand jury returned a true bill to Judge Murland Smith late Thursday night calling for Knight to face charges in the July 3 ice-pick slaying which occurred in a remote area about 12 miles north of Florala.

Trial is expected to be held sometime during the week of Sept. 25, according to Curtis Rodgers, clerk of the circuit court, and will be held in the Andalusia courthouse.

Knight had been held in Kilby Prison in Montgomery after being arrested by Sheriff Cliff Meredith following a four-day hunt in the Florala area. Knight eluded the officers for four days, spending most of the time in swampy areas and on at least two occasions was nearly apprehended.

Covington County officials said Russell, father of twin children, died as a result of 28 wounds inflicted by an ice pick in a robbery which netted the slayer approximately $100.

Probe Death Of Woman Found Behind Hotel

NEW YORK — (ANP) — Police here last week were trying to determine whether a nude, 28-year old woman leaped, fell or was tossed from the ninth floor window of room 919 at the Theresa hotel.

Police have hinted that their investigation has disclosed that a bizarre sex party involving the woman and two men occured in the room prior to the tragedy.

The crumpled body, identified as that of Mary Terry, 28, was found shortly before 4 a.m., by Roger Clark, the night clerk, behind the Hotel.

The Medical Examiner's report attributed death to a "massive crushed skull" apparently suffered in the fall. Both legs also were fractured.

Police are seeking to round out their inquiry with the interrogation of two men who reportedly were with her at the time of death but who are officially listed as unknown.

Informed sources reported that the woman went to the hotel with a tall, dark man and a much younger man or boy.

The boy assertedly informed that the man appeared "half drunk and he showed a lot of money and I thought I could get some of the money if he fell asleep in the hotel room with the girl."

Mother Finds Son, 17, Dying After Gang Fight; 4 Accused

The mother of a seventeen-year-old boy found her son bleeding to death from nine stab wounds early yesterday as he lay near a garbage can a few blocks from his home in the Bedford-Stuyvesant section of Brooklyn. Four teen-age youths were arrested and charged with murder.

The boy, Edward Spikes, of 534 Kosciusko St., had been in a gang fight. He was one of the Medallion Lords, a gang formerly known as the Stompers, who attempted to crash a party for the Buccaneers, a rival gang, in a house at 340 Pulaski St.

The gang, police said, fought with knives, car aerials and chains at Lewis Ave. and Pulaski St. Mrs. Spikes had run out to look for Edward after her younger son, Fred, sixteen, also a Medallion Lord, came home wounded and said his brother had been badly hurt. Edward died a few minutes after his mother found him.

Four Youths Arrested

The four Buccaneers arrested were Michael Klas, sixteen, of 471 First St.; Jeffrey Robinson, seventeen, of 769 Willoughby Ave.; Vernon West, sixteen, of 90 Maujer St., and Robert Taylor, eighteen, of 469 Prospect Place.

Thirty other gang members were arrested for unlawful assembly and questioned at the Gates Ave. police station.

topsy revealed Monday.

The autopsy report spurred on a manhunt for a toothless vagabond 50 years old, chief suspect in the case.

Chief Medical Examiner Milton Helpern said the child's skull and face had been crushed beneath the blows of a blunt instrument in the killer's hands. Strands of hair from the slayer's head were clutched in Edith's tiny fists. Under her nails were particles of flesh ripped from her assailant during her hopeless struggle.

The child, weighing only 45 pounds, fought in vain against a rapist who outweighed her by at least 100 pounds.

LOCKED DOOR

The blonde child's body was found Sunday in a West Side rooming house. Three times during a five-day search for the girl, detectives had approached the room. But each time its locked door thwarted them. When they finally broke it down, her slayer already had a head start of days on his pursuers.

More than 200 detectives were assigned to pick up the trail of Fred Thompson, a former night-club doorman. His fingerprints matched those found on beer cans in the Chelsea district room, where the girl's body was found.

In addition, everyone on the 24,000-man New York police force took an indirect hand in the manhunt, and a description of Thompson was flashed coast to coast.

In Framingham, Mass., an itinerant was picked up for questioning because he resembled Thompson's description.

Child Battled With Rapist Before Death

NEW YORK (AP)—Pretty Edith (Googie) Kiecorius, 4, fought fiercely and with amazingly stubborn valor for her life, while in the grip of a sex slayer, an autopsy revealed Monday.

Missing Tot Found Slain In New York

NEW YORK (AP)—The massive search for little Edith Kiecorius ended Sunday—in a dingy Chelsea rooming house where her mistreated body had been lying for days.

The body of the pretty 4-year-old was found only two blocks from the spot where she disappeared Wednesday while playing alone briefly outside a relative's home.

She lay behind a locked door on which police had knocked several times previously in their room-by-room search of the neighborhood.

A new nationwide manhunt got under way immediately for a toothless, middle-aged man with a shock of blond hair.

Police said the man, Fred Thompson, had rented the room on Feb. 17, and was last seen Wednesday about two hours before the child disappeared.

ENDLESS LEADS

Police had checked out endless leads, as far away as Chicago, before a suspicious tenant steered them to the second-floor room at 307 W. 20th St.

Forcing the steel door, police found Edith's body lying on the bed, still clad in the green dress she wore Wednesday, and half covered with a sheet.

A medical examiner said she had been sexually assaulted, and had been beaten from head to foot.

But exactly what caused her death would not be known until after an autopsy, he said.

The examiner expressed the opinion that Edith had been dead since Wednesday night.

The purple snowsuit that had been mentioned in hundreds of police and newspaper descriptions since Wednesday lay nearby, with her underclothes and shoes.

She was still wearing, in pierced ears, the tiny gold earrings that police had once hoped would make it easier to find her.



EDITH KIECORIOUS
Found Dead

LITTERED ROOM

The $8-a-week room, furnished only with the bed, a chair, and a dresser, was littered with 35 empty beer cans, an empty whisky bottle, hundreds of cigarette butts, paper bags and the remains of a pizza pie.

A police artist was preparing from various descriptions a picture of the wanted man, described as about 50 to 55 years old, 5 feet 3, and weighing from 140 to 150 pounds.

A report immediately after the girl's body was found, that a man's body also was found in the room, was erroneous.

The child lived in Brooklyn with her widowed mother, Edith. On Wednesday, her mother took her to visit the mother's brother, Manuel Duclet, at his tenement home on Eighth avenue near 18th street.

Later in the day, the girl disappeared while playing in front of the house, located in the Chelsea section. Police never were able to trace her movements after that although they tracked down many leads.

The apartment where her body was found is only half a block from the West 20th Street police station, headquarters for the search.

The mother and her brother were in the station at the time, talking with police in an effort to dig up something that might provide a clue. The mother collapsed and was carried to an ambulance after hearing the news.



Jackson Daily News P.J Mon 10-16-61

DEATH AT THE CHURCH

The body of a still unidentified man, fface down on the pavement outside St. Boniface Roman Catholic church in Brooklyn, lies at the foot of the church steps where he was knifed to death. A policeman guards shackled Cornelius Fields, 29, in foreground, after the Negro approached officers shortly after the body was found. Police say that Fields, a Negro, confessed the knifing and told them—"I killed him because he was white."—Daily News-AP Wirephoto.

13c 1961

NEW YORK

DRIFTER INDICTED IN GIRL'S SLAYING

The N.Y. Times

Grand Jury's Action Comes 2 Days After Arrest— Victim's Funeral Held

New York

Fred Thompson was indicted yesterday for first-degree murder, rape and felonious assault, in the death of 4-year-old Edith Kiecorious on Feb. 22.

The indictment, coming two days after his arrest on a chicken farm in New Jersey, was one of the speediest ever voted by a New York County grand jury. Assistant Attorneys Alexander Herman and Carl D'Angelo had begun presenting evidence to the jury on Wednesday.

Thompson, a 59-year-old drifter who is being held in the Bronx Detention House, will be taken to Felony Court this morning. A formal motion will be made then to dismiss the homicide charge on which he was arrested in view of the indictment.

After this motion is granted, he will be taken to General Sessions Court for arraignment before General Sessions Judge Thomas Dickens. At that time, it is expected, counsel to represent the defendant will be appointed.

The New Jersey authorities who seized Thompson on Tuesday reported he had signed a confession admitting he lured the little girl to his furnished room in Manhattan, where he beat and raped her. He said he was drunk at the time.

Edith lived with her mother, brother and grandmother at 810 East Thirteenth Street, Brooklyn. She had been playing near the home of an uncle at 170 Eighth Avenue, in the Chelsea section, when Thompson saw her.

Edith was buried in St. Charles Cemetery, Pinelawn, L. I., yesterday afternoon beside the grave of her father, Albinas, who died the year she was born.

More than 1,000 mourners attended a Mass of the Angels earlier at St. Rose of Lima Roman Catholic Church in Brooklyn. Most of those in the church were women and their children.

The mass is reserved for baptized children under the age of 7, who are considered incapable of sin. The robes of the Rev. Joseph J. McCarthy, who sang the mass, the flowers and the coffin were all white, signifying purity and innocence.

Edith's body, garbed in a white lace dress, had lain in the unopened coffin for two days at the Parkville Funeral Home near the church where she had been baptized.

During the mass, Edith's mother knelt in a front pew, a handkerchief clasped to her lips. Beside her was her son Albin, 10.

Carolina Millionaire on Trial In Beating-Death of Divorcee

P. 17

By CHARLES L. WEST

CHARLOTTE, N.C. (AP)—In a courtroom packed with prospective jurors, millionaire George King Cutter went on trial Monday accused of beating to death the divorcee who was his frequent companion for a decade.



George Cutter

Superior Court Judge W. Jack Hooks emptied the courtroom of all but the veniremen because of the crowded conditions resulting from a regular venire of 50 persons and a special venire of 250. Corridors were jammed with spectators.

Recs. 9-12-61

In six hours, the four prosecuting and four defense attorneys questioned 50 persons. They seated only four jurors—three white men and one white woman.

Dressed neatly in a dark blue suit and blue and red striped tie, Cutter sat at the dock only 12 feet from the teen-age daughter and teen-age son of Mrs. Delette Henderson Nycum, the 39-year-old secretary whose death July 4 resulted in the trial.

Cutter did not appear to notice them.

Cutter, builder of a 14-story, $4 million office building nearing completion only five blocks from the courthouse, displayed little emotion during the examination of the jurors.

By their questions, Cutter's four lawyers indicated that the crux of their case will be whether Mrs. Nycum actually was slain.

Coroner W. M. Summerville, scheduled to be one of the first prosecution witnesses, has said the death resulted from alcohol and shock from the 251 bruises on the victim's body.

The defense will try to prove that over-indulgence in alcohol and possibly barbiturates caused her death and that many of the bruises resulted from the movement from Cutter's bus to the Nycum home.

The bus is fitted out with sofa bunks and other conveniences. Its builder, ironically, was one of the persons included on the special venire.

A frequently asked defense question was:

"If it appeared that he (Cutter) kept company with her over a period of years, even while married and living with his wife, would that prevent you from reaching a fair and impartial verdict?"

Cutter, 48, is separated from his wife Nancy. He lives with his mother next door to the home of his wife and four children.

Mrs. Nycum, a Spartanburg, S.C., native, was married in 1944 to Robert K. Nycum but was separated from him in -946 and divorced in 1950 in Mecklenburg Superior Court where Cutter is being tried. Her children, Ricky, 15, and Sandra, 16, are among the state's witnesses.

Ricky testified in a preliminary hearing July 14 that Cutter brought the body of Mrs. Nycum home about 2 or 2:30 a.m. July 4 and that together they carried her to her bed and dressed her in pajamas. The youth said Cutter told him to report that he awoke and found her dead. Ricky agreed but said he thought his mother died a natural death and did not change his story until a detective told him she had been murdered.

Courtroom Packed As Millionaire Goes On Trial On Slashing Charge

The News and Observer Raleigh, N.C.

Recs. 9-12-61

CHARLOTTE (AP) — In a courtroom packed with prospective jurors, millionaire George King Cutter went on trial Monday, accused of beating to death the divorcee who was his frequent companion for a decade.

Superior Court Judge W. Jack Hooks emptied the courtroom of all but the veniremen because of the crowded conditions resulting from a regular venire of 50 persons and a special venire of 250. Corridors outside were jammed with spectators.

In a 2½-hour morning session, the prosecution and defense examined 18 veniremen and seated only one, Rondo M. MacIntosh Jr., 39-year-old hardware salesman.

Both sides also approved Jason Burke, business manager for a manufacturing firm, but his service was contingent upon Judge Hooks' ruling concerning personal matters.

1, 3

Oppose Capital Punishment.

Of the first 18 persons examined 11 were excused for opposing capital punishment.

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NORTH CAROLINA

Durham Businessman Held In Bludgeon Slaying Of Teacher

KINGSTON, N. C. — (ANP) — Winston Philip, 56-year-old Durham businessman, was being held in Lenoir County jail without bond late week in connection with the bludgeon-murder of a well-liked school teacher here.

He was formally charged with first degree murder in the death of Mrs. Ruth Graham Tillery, 47, widow and mother of two.

Mrs. Tillery's partially clad body was found near an abandoned rural school.

Preliminary examinations revealed that the right side of her head had been beaten in. Although the death instrument was not immediately known, Coroner Raymond Jarman theorized that her death was caused by a blunt instrument, perhaps a rock or heavy stone.

ADMITS HAVING SEEN VICTIM

Philip steadfastly denied any connection with the murder after his arrest. But he admitted having seen Mrs. Tillery earlier in the week when officers questioned him.

SBI agent J. B. Edwards, who is assisting Lenoir sheriff's officers George Hill and K. C. Davenport in the case, said Philip was the last man to see the dead woman alive.

A series of leads uncovered by police in the case led to Durham and eventually to the arrest of Philip.

Mrs. Tillery was an eighth grade teacher at Adkin high school here where she was well-liked and respected. She had been teaching at the school for about 20 years.

HAD TWO CHILDREN, 13 AND 9

She and her two children, a 13-year old daughter and 11 year old son, lived with her brother Clarence Graham.

Philip has been in Durham as operator of the Durham Surgical Supply for the past several years. He also succeeded G. W. Logan, Sr., briefly as operator of the DoNut Shop restaurant in Durham.

Beaten body found near school

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Negro Laborer Admits Slayings

CHAPEL HILL, N. C. (AP) — A Negro laborer convicted in 1947 of killing his common law wife has admitted slaying two other people and critically injuring a third with an ax Sunday, police said Monday.

Deputy Sheriff Avery C. Maddrey said Charlie "Punk" Cotton, 48, who had notified police of the killings, admitted after questioning that he had committed them Cotton was held without bond on two murder charges.

Slain were Luby Trice, about 35, and her son, Bobby, 15, both Negroes. Her father, Nat Trice, was reported in poor condition at Memorial Hospital here.

Officers said Cotton served 12 years of an 18-year sentence he received in 1947 for killing his common law wife, was released two years ago and had been living with the Trices.

The officers said they found Cotton sitting on the porch of the Trice house when they answered the call. They described him at that time as "drinking, but not drunk"

Ex-Slayer Admits Killing Two More

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In Wilmington:

Man's Body Is Found In Abandoned Church

WILMINGTON (AP) — Police Thursday identified the body of a man found behind the altar of an abandoned church as that of a 66-year-old merchant missing since Nov. 18.

Officers said Nathan Sonsky was believed to have been carrying as much as $30,000 in cash and checks when he disappeared.

The body was found by a Negro, Raymond Epps, sexton for the abandoned church. Epps, who lives in a house which formerly was the church parsonage, said he had noticed an odor about the church for several days and investigated.

Report Awaited.

Police said the exact cause of Sonsky's death would await a pathologist's examination, but they made it clear they believe the merchant was slain.

Identification wa made through a gold coin on a chain which Sonsky was known to have worn around his neck, and a key which fitted the merchant's auto.

Sonsky operated a small mercantile establishment on Fourth street, near where Wilmington longshoremen are paid off on Fridays. For years, police said, Sonsky had made small cash loans to longshoremen and on Fridays usually went to the bank and withdrew large sums of money. He also collected his loan fees from the sailors.

Since November.

He was last seen on Nov. 18 by a brother—his only known relative. The brother reported to officers the next day when Sonsky did not show up at his store. Police found the merchant's car parked near the store.

Officers said they attempted to trace Sonsky's movements, and found one establishment where Sonsky was supposed to show up on Nov. 18 to pick up about $5,000 in checks. He did not appear to pick up the money.

The body was fully clothed except for shoes. Officers said identification was made difficult by the condition of the body. The fingers were missing and parts of the face were gone.

Woman Charged With Murder
Atlanta Daily World
Lives With Body Four Months

WILMINGTON, N. C. —(ANP) — A Negro woman was charged with murder last week in the death of a 56-year-old white money lender.

Police said Miss Lillian Harris, 36, who lived in the abandoned church where the body of Nathan Sonsky was found March 12, admitted stabbing him Nov. 18.

According to police Miss Harris lived for four months within 40 feet of the decaying body. She lived in the Sunday school of the church.

Wilmington Police Chief J. J. Padrick said with the arrest of three persons, "The case of Nathan Sonsky is closed But Padrick said more than $5,000 which Sonsky apparently carried with him is unaccounted for.

Padrick quoted Miss Harris as saying that Sonsky, who loaned money extensively, came to her home the morning of Nov. 1 to collect a loan. They argued and she stabbed him with a knife, she said.

The chief said Miss Harris called Cora Lee Taylor, 26, and later that afternoon they dragged the body into the baptismal room in the rear of the abandoned church, situated close to the downtown area.



Officer Norman Artis and Mrs. George Owens at inquest.

Coroner's Jury Clears Policeman

By BOB LYNCH

Policeman Norman Artis shot and killed George Owens in his home at 527 E. Martin St. last Saturday night "in self-defense and in line of duty," a coroner's jury ruled Tuesday.

The victim's wife, Mrs. Julia Owens, told the all-Negro jury she didn't believe the killing was self-defense. She said she didn't believe her husband intended to carry out his threat to kill her.

Furthermore, she said, she felt the officer could have disarmed her husband by shooting him in the hand or shoulder.

Owens died of a pistol wound in the left side of his head shortly after the shooting at 7:30 p.m.

"In view of the evidence presented," the jury of five men and one woman said, "Officer Artis shot and killed . . . and is hereby exonerated of any miscarriage of duty."

Artis did not testify at the inquest held at the Wake County Courthouse.

Report on Investigation.

Police Lt. J. M. Stell, who headed a Police Department investigation of the shooting, said Artis gave the following report of the incident:

Artis answered a disturbance call to the Owens' home at 7 p.m. Cora Lee Ruffin, of 314 S. Bloodworth St., met Artis on the front porch of the Owens' home, she told the officer that her brother-in-law was in the house with a pistol and had threatened to kill his wife and "any damn cop who comes through that door."

Artis drew his service revolver and entered the house to find Owens pointing a gun at his wife.

Artis told investigating officers Owens said, "I'm going to kill her." Artis said he told Owens to drop the gun.

The officer said Owens told him, "I'm not going to drop a damn thing. I'm going to kill her." He said Mrs. Owens got up from the bed where she had been sitting and walked past Owens toward the front door. Owens followed, pointing the gun at her. Mrs. Owens ran, and her husband raised the pistol as though to aim. Artis told detectives that he again ordered Owens to throw the gun down.

Instead, Artis said, Owens turned the pistol on him. Artis said he shot without taking aim and Owens crumpled to the floor.

Artis then ran outside and called an ambulance.

Det. Sgt. Robert L. Bunn testified that Artis told him the same story.

Mrs. Evelyn King, who lived in the Owens home and witnessed the incident, gave a similar account of the shooting.

Mrs. Owens testified that her husband had recently been hospitalized as the result of fumes he inhaled while driving a truck. He got out of the hospital Thursday and had the pistol with him when he came home Thursday night.

They quarreled Saturday because she went up town, she said. Her husband threw her on the bed and beat her with the pistol, a small .21 caliber automatic of Italian make. She wore a bandage on her left temple.

She said her husband had been drinking but wasn't drunk. She said he "looked kinda wild."

In response to a question from one of the jurors, Mrs. Owens said, "No, I don't think he would have shot me . . . If he had wanted to shoot me, he would have shot me when he had me on that bed."

She said her husband was a good provider, good to his family. They had three children.

"What makes you think he wouldn't have killed you?" a juror asked.

"I don't know. He just wasn't that mean," she said.

According to evidence Artis was about four feet to the left rear of Owens when the shot was fired. Police Chief Tom Davis said Artis was a "very good officer, very level healed." "I don't think he wanted or intended to shoot to kill."

Members of the jury were: Eugene Dunn, service station operator o f626 Quarry St.; Miss Wilmot Carter, a professor at Shaw University; J. R. Lewis, of 520 S. Bloodworth St., employe of a radio and television station; Clarence Davidson, jeweler of 711 Manley St.; A. J. Calloway, minister. of 501 S. Wilmington St.; P. R. Robinson, dean of St. Augustine's College.

Lynchings

13c 1961

Negro Knifed For 'Visiting' White Woman

WHITEVILLE, N. C. (UPI)—Officers said four white teen-agers were arrested Monday night after one of them admitted stabbing a Negro farm hand to death because he was sitting on the door-step of a white woman's home.

Authorities said Houston Odell Duncan, 18, admitted stabbing the victim Saturday night with a pocket knife and then throwing the weapon into a canal. Three other youths admitted aiding Duncan, according to Deputy Sheriff Charlie Smith.

The body of Robert Freeman, 37, was found early Sunday by a motorist on a rural road about a half-mile off U. S. 74-76 in Columbus County.

Smith refused to reveal the name of the white woman on whose steps Freeman was sitting when he was attacked by the youths.

The officer said Duncan was being held without bond on an open charge pending an inquest July 27.

The other youths, David A. Martin, 17, Edward Mack Gause, 17, and Olin Ward, 18, were released under $2,000 bonds on charges of aiding in the slaying.

Two Convicted In Klan-Style Murder

WHITEVILLE, N.C. (ANP)—The old days of the Ku Klux Klan were relived here last week during the trial of four white boys charged with the murder of a Negro boy last July.

The confessed killer, Houston Duncan, one of the four boys who claim they found Robert James Freeman sitting on the back steps of a white woman's home, was given from 15 to 20 years in prison. Edward Gause received a 5 to 7-year sentence. The other two boys were to be sentenced by Judge Raymond Mallard at a later date.

The evidence which led to the sentence was furnished by Deputy Sheriff Charlie Smith and it sounded as if the old days of the Ku Klux Klan were being brought back to Columbus County. The officer stated that four white boys went to the home of Mrs. Victoria Ward, 46, white, where they pooled their money and went in search of whiskey, on the night of July 15.

Mrs. Ward accompanied the boys and when the whiskey had been consumed they returned to her home. One of the boys is alleged to have opened the back door and found Freeman sitting on the back steps. It was then that the four white boys, Edward Gause, 17; Olin Ward, 18; David Martin, 18 and Duncan became enraged and began to harass Freeman. He sought refuge under the house, it was said. The white boys still sought him and lured him from his hiding place by threatening him with a gun.

They then (according to Smith's testimony, said to have been given him by the boys), pushed Freeman into the car, with Gause holding his hand in his pocket, pretending he had a gun, and drove off. They are alleged to have driven about one mile from the Ward home and about midnight stabbed him to death. His body was pushed out of the car and the boys fled.

The body was discovered the next morning by Daniel Coleman, white, who is alleged to have thought that Freeman was sleeping and went to tell someone what he had seen. He later returned to the scene with J. B. Corbett and it was then that they found that Freeman was dead. It was not ascertained what part the white woman played in tracking down the boys.

Duncan is alleged to have admitted that he was the knife wielder and was paced in jail charged with murder and kidnaping. He plead nolo contendere when the case was called in Columbus County Superior Court and plead guilty to a second degree murder charge. The other three plead nolo contendere to a charge of being accessories after the fact of second degree murder

13c 1961

OREGON

Kidnaped co-ed's body found; clues scant in slaying

PORTLAND, Ore., Jan. 12 (AP)—Police had only slim hopes today of finding a clue in the murder of a 19-year-old co-ed whose body was found Monday, six weeks after she disappeared.

The girl, Beverly Ann Allan, Port Townsend, Wash., apparently was killed a few hours after her boy friend died in a fight with someone who ambushed them in a wooded lover's lane near Portland Nov. 26.

Her boy friend, Larry Ralph Peyton, 19, Portland, was stabbed to death. His body was found Nov. 27.

Police speculated at least two men ambushed the pair. There were signs of a terrific struggle.

BLOOD STAINED the front seat of Peyton's car, in which his body was found. There also were Miss Allan's coat and purse. Her glasses were on the ground outside. There was a bullet hole in the window of the car, but Peyton had not been shot.

Coroner Harold Hammack said there were no visible wounds on her body.

The body of Miss Allan, a Washington State University sophomore, was found beside the Sunset Highway, 37 miles west of Portland. Hammack said it apparently had been tossed from the road down a steep slope.

A highway crew, cutting roadside brush, found the body, which was nude from the waist up. The girl's sweater was found part way up the slope.



BEVERLY ALLAN
. . . Body is found

Negro given life in slaying of white boy

The Birmingham News
Birmingham Ala.
3-29-61 p. 37
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Pa

PHILADELPHIA, March 28 (AP) Norman T. Wilson, an 18-year-old Negro youth accused of fatally stabbing a white boy, has been sentenced to life imprisonment for the slaying.

At the same time yesterday, three Quarter Sessions Court judges sentenced two other Negro youths to terms up to 15 years in connection with the same fatal stabbing, that of John A. Campiglia, 17, a South Philadelphia high school honor student.

Lonnie Jackson, 19, drew a 7½-to-15-year term, while Franklin D. Sutton, 16, was sentenced to 5-to-10 years.

All three had pleaded guilty to a general charge of murder. The judges found Wilson guilty of first-degree murder and the two others guilty of second-degree murder.

THE BOYS WERE accused of being among a gang of eight Negroes who attacked Campiglia, an innocent bystander, last March 21 as he walked home from school. Five other boys are in custody of juvenile authorities.

Isaiah Crippins, defense counsel for Wilson and Jackson, sought to show before the sentences were imposed that a series of racial incidents spreading over several years were the mitigating factors in Wilson's case.

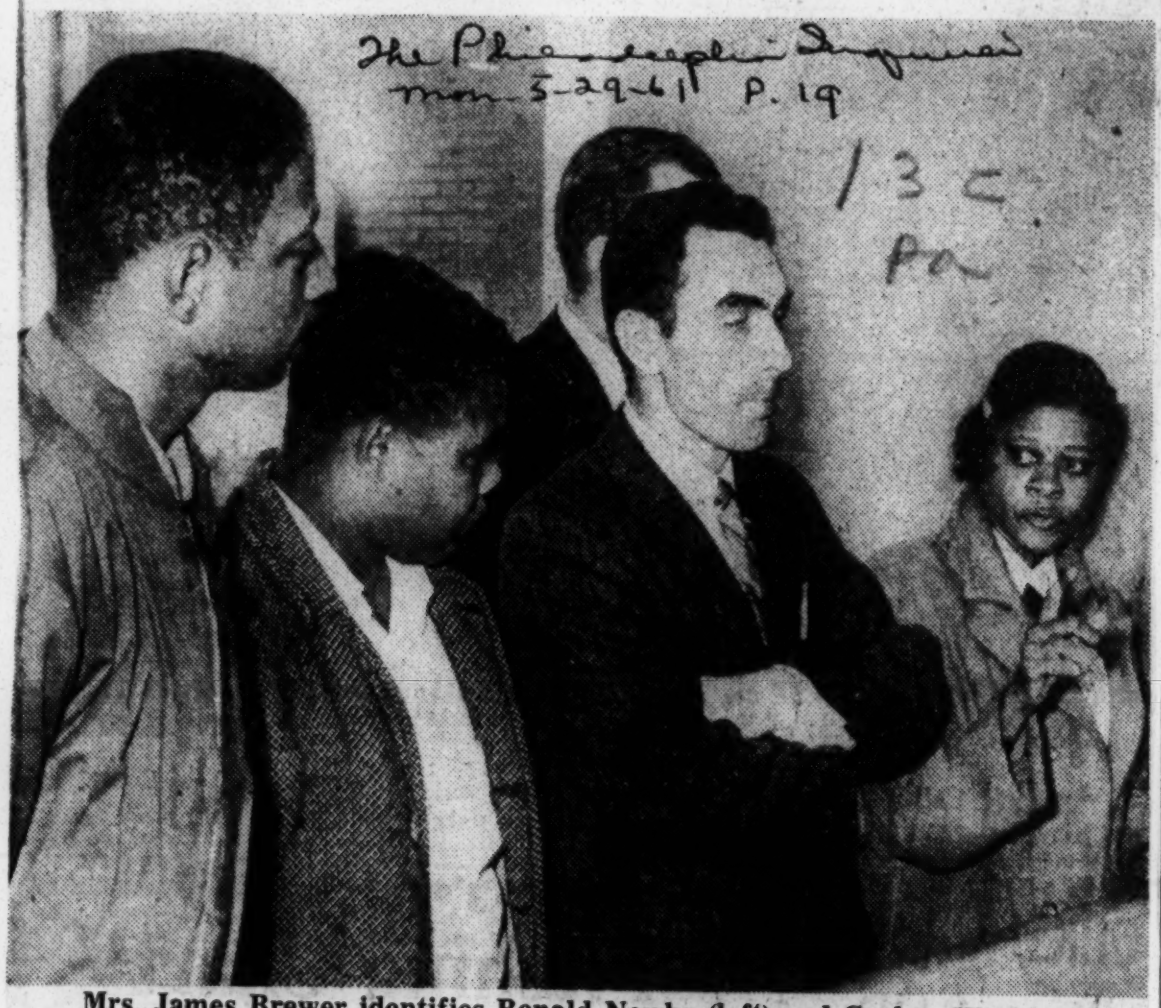
Before the sentence was imposed, Wilson said to the court:

"I don't have anything to say except that I had no intention of killing at all. That's all I have to say."

Among the 150 persons who crowded the courtroom during the proceedings were Campiglia's parents. the dead boy's mother wept during the proceedings.

2 Arrested in Kicking Death Of Man in North Philadelphia

The Philadelphia Inquirer



The Philadelphia Inquirer
Mon. 3-29-61 P. 19
13c
Pa

Mrs. James Brewer identifies Ronald Newby (left) and Cephus Washington as two of three men who kicked her husband to death early Saturday. Detective Frank McGurk, who arrested pair, stands beside Mrs. Brewer.

Police Seek 3d Suspect In Assault

Philadelphia Pa

Two suspects accused of brutally kicking a man to death before the eyes of his horrified wife early Saturday were held without bail Sunday for the grand jury by Magistrate E. David Keiser.

The suspects, Cephus Washington, 22, of Woodstock st. near Dauphin, and Ronald Newby, 27, of Ridge ave. near 21st st., had been arrested Saturday and were questioned most of the night. They insisted they had no knowledge of the crime.

WIFE ASSAULTED

The dead man, James Brewer, 37, a hospital orderly, was knocked to the pavement near his home at 2358 N. 20th st. by three men. All began kicking him as he went down.

Then they forced his wife to accompany them to a city playground five blocks away where they criminally assaulted her in a locker room adjoining the swimming pool.

The wife, Mrs. Hortense Brewer, 36, identified both men at the hearing Sunday afternoon. She testified both were acquaintances of her and her husband, but she said she did not recognize the third man, still being sought by police.

THREATENED WITH KNIFE

Mrs. Brewer said she and her husband were on their way home about 3:30 A.M. Saturday from a taproom at 20th st. and Susquehanna ave.

As they crossed Dauphin and continued north on 20th st. they suddenly were pounced upon by the trio, she continued. One of them threatened to kill her with a knife if she made an outcry, she said.

As Brewer lay helpless on the sidewalk, the wife said, all three battered his face to a pulp with their feet. Most of his teeth were kicked out.

She said they made her go with them to the playground at 22d st. and Sedgly ave., pushed her over a 10-foot high brick wall and came over after her. They took her to the locker room and assaulted her.

Two of the men left, she testified, while the third walked her to within a block of her home.

ONE GIVES SELF UP

She called police and was treated at Temple University Hospital. Later she was transferred for further treatment to Philadelphia General Hospital.

Detective Sgts. Frank McGurk and John McBride, of the Homicide Squad, said Mrs. Brewer told them who two of the assailants were. They arrested Newby at his home Saturday.

Later the same evening Washington walked into the 17th st. and Montgomery ave. station and gave himself up. He said he heard the police were looking for him. Before that, said Washington, he knew nothing about the crime.

Newby insisted he had been home with his wife at the time of the attack. Both men were held on charges of homicide, rape and conspiracy.

Suspects Elude Search

The News and Courier P-1
Charleston, S.C.

Three men wanted in connection with the robbery and slaying of a North Charleston grocer Friday night had last night still managed to elude a state-wide search by police. Dem. 5-28-61

Police described the suspects as white men, one approximately six feet tall, weighing about 155 pounds and wearing khaki shirt and pants. The men were driving a 1955 or 56 blue and white Ford or Mercury, they said.

Victim of the attack was Lear X. Miltiades, 47, of 5727 Franklin St. in North Charleston. He was killed by a blow to the head. He was operator of the Remount Superette on Remount Road. An undetermined amount of money was looted from the cash register.

A 13-year-old Negro boy, Nathaniel Bryant of Elder Street in North Charleston, was injured during the robbery. An employe of the store, the boy said he was working in back of the store when three men entered the building and one came back and struck him in the head with a soft drink bottle. The boy was taken to the County Emergency Room where he was treated and released.

Coroner Jennings Cauthen said the robbers apparently carried the murder weapon with them.

Funeral services for Mr. Miltiades will be at 3:30 p.m. today at St. Pauls Greek Church in Savannah. Burial will be in the churchyard, Stuhr's announced.

Mr. Miltiades was born in Savannah, a son of Mr. and Mrs. Xenophone Miltiades. He served with the U. S. Air Force during World War II.

Surviving, in addition to his mother, are the widow, Mrs. Bessie Morris Miltiades of Charleston Heights; a sister, Mrs. Mary Lambros of Savannah; three brothers, Theodore X. Miltiades of Charleston Heights, Charles X. Miltiades and Demitros X. Miltiades, both of Savannah.

Negro Kills Police Chief

The Montgomery Advertiser

NEW ELLENTON, S.C. (AP)—Chief of Police T. L. Meeks was killed by a shotgun blast Wednesday night at the home of a Negro where he had gone to investigate a domestic squabble.

Willie Brown, 27-yar-old Negro, was taken into custody and whisked to an undisclosed jail for safekeeping. Other officers said feeling was "running high" in this Aiken County town spawned by the Savannah River hydrogen bomb materials plant.

"We're afraid for his safety," said Sheriff Wyman Busch of Aiken County.

Busch said Brown had not been charged. He had made no statement in connection with the shooting, the sheriff added.

State Highway Patrolman David Barrineau said Meeks, about 45, was shot down in the back of Brown's house. Meeks had gone there after receiving a report that Brown and his wife were quarreling.

The State-Times

Barrineau said Mayor Charlton Shaw and Constable R. J. Cooper took Brown into custody a short while later at the front of Brown's house. Brown gave up quietly.

Meeks, the only full-time officer in the town, had been chief for two years.

13c 1961

'GUILTY CONSCIENCE'

TENNESSEE

Knoxville Negro Confesses Killing Here 35 Years Ago

KNOXVILLE, Tenn. (AP) — A 60-year-old Knoxville man walked up to a city detective Monday night and said he wanted to confess to a slaying in Alabama 35 years ago — his conscience was bothering him.

Richard Harris, a stocky Negro, told detective Jim Guess that he was afraid he might kill his wife and have a double slaying on his conscience.

Guess said Harris told him he shot and killed a man in Montgomery after he saw the man hit another Negro on the head with a shovel, then threaten to hit him.

Harris added that he didn't know his victim's name or the exact year in which the alleged slaying occurred.

The detective said he had known Harris for 17 years and that they often walked together on his beat before Guess became a detective.

Harris said in a signed statement that he fled to Knoxville after the shooting.

At Montgomery, Detective Sgt. Ed Wright said a thorough search of police recores was under way, "but at present we are unable to ascertain whether there is any truth to his statement." Wright said police may know by Tuesday morning whether such a killing is recorded in Montgomery.

Youth leads police to body of slain Chattanooga child

CHATTANOOGA, Feb. 7— (AP) — An 18-year-old youth, handicapped by a speech impediment, led police early today to the city dump where the bludgeoned body of a 5-year-old girl was found.

The grisly find ended a search begun shortly after the little girl, Linda Faye Worley, disappeared Sunday after returning home from a Baptist church school.

The boy, Bobby Scales, was charged with murder, and police said he gave them a statement saying he had strangled the girl when she resisted an attempt to molest her sexually.

SCALES, a neighbor of the slain girl, left school two years ago, at which time he was in a special sixth grade class.

Police said the boy's statement, given after the body was discovered, said he lured her to the city dump—about 10 blocks from their rundown neighborhood—by offering her a candy bar.

When he scratched him and resisted his advances, the statement related, he strangled her and threw her body into the swamp.

He said he got the idea to strangle the girl from watching television shows, police added.

Slaying Admitted By Negro Porter

Fish Knife Used

Say 13-Year-Old Fought To Escape Assault —Stabbed 32 Times

By JAY HALL

Dual murder charges were pinned yesterday on Freddie Green, 18-year-old Negro porter, for the grisly supermarket slaying of red-haired, 13-year-old Sharon Vaiden.

Sharon was stabbed 32 times with a saw-tooth fishing knife in the basement of the Food Center at 2758 Lamar Saturday night.

The Negro was charged with murder, and murder in the perpetration of rape.

Sharon was stabbed about the neck, in the chest and in the hands. Police found the murder knife, a yellowed, bone-handle pocket type about four inches long when closed, near the supermarket. The 4½-inch blade is double-edged, one a cutting edge and the other a serrated fish-scraper edge.



Sharon Vaiden

Green, Food Center employe who lives at 2441 Saratoga, repeatedly admitted in a police station conference with a battery of newsmen yesterday morning that he stabbed the pretty, freckle-faced schoolgirl in an effort to have sexual relations with her. His sexual intentions were never carried out, he said.

Autopsy Ordered

However, an autopsy was being performed to determine whether the girl had been sexually attacked.

Police viewed with consternation and disbelief a statement by Green that the little girl had willingly been intimate with him "back in November or December" in the same surroundings in which her slain body was found Saturday night.

Detective Chief Charles Young said flatly, "I don't feel he's telling the truth."

Sharon was the daughter of Mr. and Mrs. Herbert Vaiden of near Olive Branch, Miss. Police said the Vaiden family often did Saturday night grocery shopping at the Food Center on Lamar.

The store closes at 9 p.m. but employes stay later. Sharon had told her mother near closing time she was going to the rest room which is on a basement level. When she had not returned about 9 p.m., the mother became concerned and a store-wide search with police soon on the scene was started. The gruesome discovery was made in a sub-basement below the restroom level by Cecil Bradley, assistant store manager, at 10:34 p.m.

Six-Hour Search

In remarkably quick time—less than six hours—and in a remarkable manner, they had Green under arrest.

When arrested at 4:20 a.m. yesterday, Green first denied the killing. After about two hours' interrogation, he admitted stabbing the girl.

Tipoff to the identity of the probable killer came when a check of employes was made and it was discovered that Green, supposed to be on duty, was missing.

Green detailed to reporters his frightened flight from the death scene. The flight eventually took him to the Orange Mound section near Park and Airways where he went to the home of Luby Strong at 827 Cella and said, "I'm in a little trouble. I can't go home. Auntie (an aunt with whom he lived) is going to be real mad."

Green said Strong told him he had no room for him. Without Strong's knowledge, Green sneaked into the back yard, crept into a broken-down car there and went to sleep. Police found him snoozing.

Police had immediately put out an all-cars alert. A check at Green's home was futile and a still watch was posted there. Officers began a relentless check of all friends and associates of Green.

Squad Car 84, occupied by patrolmen J. F. Molnar, D. W. Williams and G. E. Mead, stopped a car occupied by Negroes near Park and Cella. The driver, whom police did not identify cited 827 Cella as a possible place where Green might be.

"It just happened they stopped the right car," Chief Young said.

Found In Car

Squad Car 84 called for assistance. The call was answered immediately by officers E. H. Harrison, J. M. Farley and Negro officers R. J. Whitney, W. L. Robinson, J. D. Williams and G. S. West.

In a group they went to the Strong door. Strong said he had sent Green away. A check of the premises was made. Officer Williams found Green under the back seat of the car and the other officers closed in around it and pulled Green out.

Youth Who Fears God Admits Slaying Girl, 5

CHATTANOOGA, Tenn., Feb. 7 (AP)—A teen-aged youth who is "afraid of anything to do with God" admitted early today that he strangled a 5-year-old girl and threw her body into a trash-filled swamp.

After leading officers on a circuitous route to the girl's body, the boy "broke down a little" when a minister started to say a prayer over her body. Homicide detectives Pat Rowe and John Stargel Jr. said he told them he killed the little girl when she fought off his sexual advances.

The youth, Bobby Scales, 18, was ordered held without bond on a charge of murder. The victim, Linda Faye Worley, was a playmate of his sister, and had disappeared soon after returning from church school Sunday.

Scales, arrested yesterday when officers learned he had been seen with the girl after she disappeared, maintained he knew nothing about Linda Faye's disappearance until shortly after midnight. The youth, handicapped by a speech impediment, once attended a school for retarded children.

A doctor pretended to give the boy a lie-detector test, using a machine for measuring drunkenness rather than a polygraph, and asked the boy if he would take a truth serum.

He said "My grandfather told me never to take it (truth serum) because it's plain old dope," the doctor quoted the boy as replying.

"I asked him if he had a Bible," the doctor said. "He said he had a testament." I had the boy put his hand on it and told him he could lie to me but that he could not lie to God. He was afraid of anything to do with God.

The boy then agreed to lead officers to the body.

Young Scales, who said in a statement he lured Linda Faye the 10 blocks from their own rundown neighborhood by offering her a candy bar, said he got the idea for strangling Linda from watching television shows.



MURDER SUSPECT — Bobby Scales has been held without bond at Chattanooga in the death of five-year-old Linda Faye Worley. (UPI Telephoto).

Negro Arrested In Slaying Of Girl, 13, In Tennessee

MEMPHIS, Tenn. (AP)—Police arrested an 18-year-old porter early Sunday and said he will be charged with murder in the brutal slaying of a 13-year-old girl in a supermarket basement here.

Chief Detective Charles Young identified the porter as Fred Green, a Negro. Young said the porter was making a written confession.

The victim, was found with 32 stab wounds—eight in the chest and the rest in the throat, ear and face, police said.

Officers said she was raped, killed and hidden behind heavy machinery in the big store Saturday. She was going to a basement restroom.

Green, who has no previous police record, denied raping the girl, police said. But Young said the porter also will be charged with murder in the perpetration of rape.

Green, who is 6 feet and weighs 140 pounds, told police the girl resisted as he grabbed her near the restroom. Then, he said, he stabbed her with a small pocket knife.

The girl's mother, reported her daughter missing after she stopped by the shopping center store with her three children to pick up groceries.

She said the girl went to the restroom and did not return.

She found her daughter's purse in the restroom, Employes searched the store and found the body soon afterward.

When the porter was noticed missing, police launched an all-car search. They found him at 4:20 a.m. asleep in a car parked in the driveway of a friend's home. Officers said the friend had refused to let Green inside.

'God-Fearing' Youth Leads Officers To Slaying Victim

CHATTANOOGA (AP)—A teen-aged youth who is "afraid of anything to do with God" admitted early Tuesday that he strangled a 5-year-old girl and threw her body into a trash-filled swamp.

After leading officers on a circuitous route to the girl's body, the boy "broke down a little" when a minister started to say a prayer over her body. Homicide detectives said he told them he killed the little girl when she fought off his sexual advances.

The youth, Bobby Scales, 18, was ordered held without bond for grand jury action on a charge of murder. The little victim, Linda Faye Worley, was a playmate of his sister, and had disappeared soon after returning from church school Sunday.

'PLAIN OLD DOPE'

Scales, arrested Monday, maintained he knew nothing about Linda Faye's disappearance until shortly after midnight. The youth, handicapped by a speech impediment, once attended a school for retarded children.

A doctor pretended to give the boy a lie-detector test, using a machine for measuring drunkenness rather than a polygraph, and asked the boy if he would take a truth serum.

"He said 'My grandfather told me never to take it (truth serum) because it's plain old dope,'" the doctor quoted the boy as replying.

"I asked him if he had a Bible," the doctor said. "He said he had a Testament. I had the boy put his hand on it and told him he could lie to me but that he could not lie to God. He was afraid of anything to do with God."

The boy then agreed to lead officers to the body, passing the dump several timed in a patrol car before he led police to the swamp where the girl's body was found in about a foot of water.

Young Scales, who said in a statement he lured Linda Faye the 10 blocks from their own rundown neighborhood by offering her a candy bar, said he got the idea for strangling her from watching television shows.

FULLY CLOTHED

Her body was fully clothed when found, and officers said there was no evidence that she had been raped. When officers pulled the body from the swamp, "She looked like a little Dresden doll," the doctor said.

Scales showed no remorse, officers said.

Linda Faye's stepfather, Jesse C. Worley, 34, once was a janitor in a school for retarded children which Scales attended until he quit a special sixth-grade class two years ago at the age of 16.

Worley, unemployed since he contracted cancer, and his wife have another daughter, Brenda, 2.

Tennessee Man Robbed And Slain

TULLAHOMA, Tenn., June 11 (UPI) —The body of an elderly Negro listed as one of seven victims "claimed" by two teenagers according to the FBI in Salt Lake City, was found Monday by a group of horseback riding boys and girls about 10 miles from here.

Authorities said John Augustus Whittaker, a 71-year-old porter for the L & N Railroad, was shot six times with a pistol and left with only eight cents on his person.

Sheriff Virgil Newman said Whittaker was reported to have had $40 when he left home and had been robbed and killed by someone he picked up to give a ride up a lonely road.

The sheriff said Whittaker apparently walked up the road to a lane where he was shot. He said there was no trace of blood leading to the scene.

13c 1961

'SQUEEZED UNTIL DEAD'

WISCONCIN

Irked Housekeeper Admits Killing Tots

MILWAUKEE, Aug. 18 (AP)—A 34-year-old woman, sitting only a few feet from the neat trim beds where the bodies of two little boys were found a short time earlier, sullenly admitted today that she had tortured one child with burning matches, then "squeezed them until they were dead."

The woman is Miss Lucille Adams, a dumpy brunette hired by William R. Craig Jr., as a housekeeper after he and his wife separated about three months ago.

Questioned by Deputy Detective Inspector Harold Breier and Dist. Atty. William J. McCauley, the woman said she had trouble with Donald Craig, 4, and his 2-year old brother Ronald yesterday afternoon when they threw one of her shoes, a toothbrush and other articles out a bedroom window.

Asked About Punishment

Breier asked if she had punished the baby by burning his ear, palm and fingertips with matches.

"Maybe I did," Miss Adams said.

"You know you did," Breier said.

"Yes, I did," the woman said.

McCauley said Miss Adams told him she got the idea of smothering the children after "hearing that story on the radio." He said she apparently referred to a Dubuque, Iowa, baby sitter, involved in similar deaths of three children.

"She said that when she was 10 years old she did the same thing to a cat," McCauley said. "She said she hated cats."

Craig, a night shipping clerk at a wholesale grocery firm, found the bodies of his sons, dressed in undershirts and shorts, lying on their beds when he came home from work about 9 a.m. today. A teddy bear, a red ball and a toy truck were on the floor between them.

Asleep in Another Room

Miss Adams was asleep in another room.

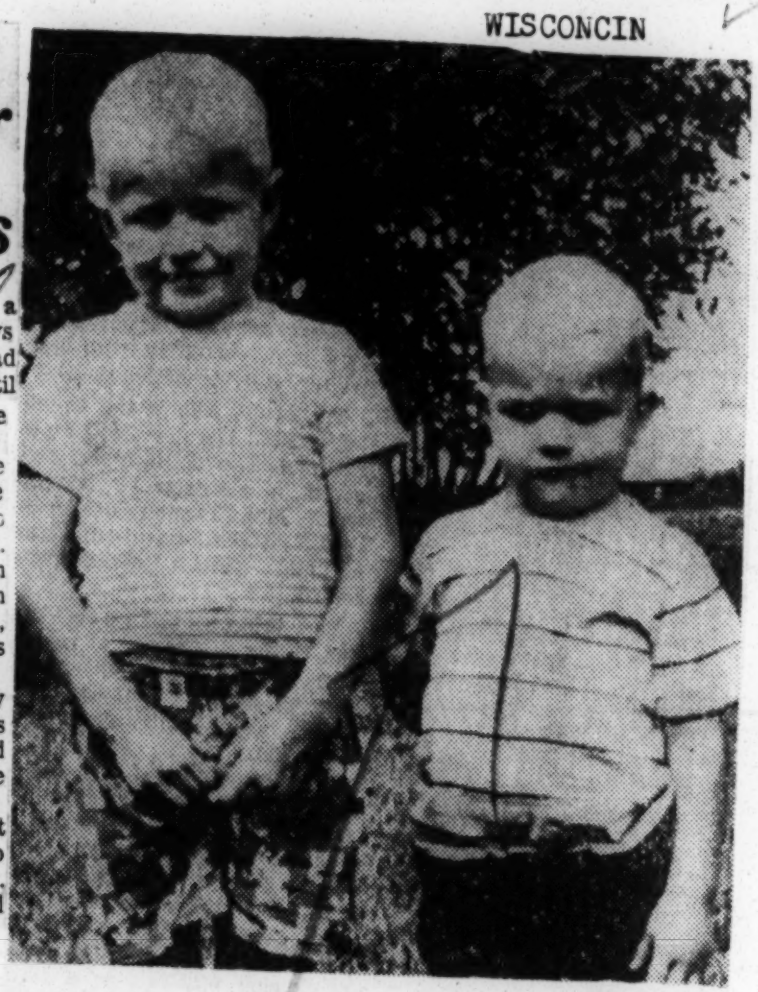
Breier said Miss Adams told him that after Craig went to work last night "she played with the boys and squeezed them until they were dead."

Relatives of Craig's family said Miss Adams came to Milwaukee to work for Craig on the recommendation of other relatives in Los Angeles, where Craig and his



—AP

Lucille Adams



—AP Wirephoto

Donald Craig (left) and Ronald, "Squeezed to Death

State 'brutality' probe requested

The Birmingham News

WASHINGTON, Sept. 9—(AP)—A full-scale civil rights investigation of so-called police brutality in Alabama has been recommended by the Alabama Advisory Committee to the Commission on Civil Rights.

In its report made public Saturday, the committee recommended an investigation "in this whole pattern of police behavior in the arrest process."

The report also recommended an investigation of the state's courts, noting that some judges have said in their court: "This is a white man's courtroom."

Chairman of the Alabama committee is the Rev. Albert Sidney Foley, Mobile, a Jesuit priest and professor at Spring Hill College.

VICE CHAIRMAN is Dr. E. B. Goode, a Negro physician of Mobile.

"We must report more widespread and varied forms of official misconduct," the report said. "These include violent physical attacks by police officers on members of minority groups, the use of 'third-degree' methods to extort confessions, and brutality against prisoners . . ."

The committee said its recommendations were made after sampling of communities across the state.

Of 120 questionnaires mailed the committee said it received 46 replies.

Of these, 25 were from Negroes and 21 were from white persons.

THE COMMITTEE declined to identify any of those responding.

It said a lack of confidence was noted particularly in Montgomery and Birmingham.

"The highest recorded vote of nonconfidence was for the local officials of Montgomery and the next highest for those of Birmingham," the report said.

"In the rest of the state, however, the majority of the respondents seemed to feel that the local officials did enjoy a measure of confidence on the part of Negro citizens," the report said.

OTHER MEMBERS of the Alabama committee are Dr. Walter D. Agnew, Greensboro, a white Methodist minister and former president of Huntingdon College; Louis A. Eckl, editor of The Florence Times; Mrs. Vera Foster, Tuskegee, Negro, wife of Dr. Luther Foster, president of Tuskegee Institute; Dr. Arthur Gray, Talladega, Negro, president of Talladega College; Mrs. Frances P. McLeod, Montgomery, white, wife of a retired Methodist minister, and the Rev. Charles M. Prestwood, Eutaw, a white Methodist minister.

The report said most of the responses indicated that local citizens preferred to settle their own grievances rather than call police.

"AT LEAST, this was the opinion of 67 per cent of our respondents," the report said.

The report mentioned "riot tactics" of police officers, and expressed disapproval of the use of shotguns and pistols by police "as though the policeman's nervousness on the trigger were a greater threat to them than that of potential murderers."

The report said 65 per cent of those questioned "intimated that local officials give the appearance of working hand in hand with . . . terrorist groups such as the Ku Klux Klan."

The report complained ofreported arrests without warrants or "without reasonable suspicion."

"THERE WERE at least 114 cases of strong-arm tactics, the vast majority of which were recorded in the community of Montgomery," the report said.

"One hundred and eight cases of twisting of arms and wrists by law enforcement officials were reported; again, the vase majority of these in the Montgomery area.

The respondents reported 33 cases of beatings with blackjacks, 32 cases of beatings with nightsticks, 29 cases of kicking of victims, 23 cases of slugging with fists, 20 cases of pistol whippings, 17 cases of throwing people to the ground, 14 cases of stomping on the victims and mugging them, eight cases of breaking the victims' bones, and at least one unwarranted case of police use of judo and karate, causing unnecessary pain to the victim.

"There is a vast field for exhaustive investigation in the state of Alabama in this whole pattern of police behavior in the arrest process," the report said.

"WE BELIEVE that the Civil Rights Commission would do well to assign a full-time team of investigators to develop the evidence that would lead to the correction of these abuses of police power. . . ."

The report also said numerous demands for excessive bail bond were noted.

It accused attorneys of creating "a biased atmosphere in the courtrooms by appealing to the racial prejudice of jurors."

"Thirty-four, or 74 per cent, of the respondents indicated that the county solicitors were guilty of weighting juries against Negro defendants by excluding Negro citizens from the lists of names from among whom the jurors are chosen," the report said.

THE REPORT noted, also, that no public schools are integrated in the state, and added:

"Evetns and activities during 1960 were indicative of the struggle that lies ahead if the goal of an unsegregated public school system is to be achieved in Alabama."

It declared that presently, there is no prospect in Alabama of voluntary public school integration.

Officials fire fast denial at charges

The Birmingham News

Police commissioners of Birmingham and Montgomery Saturday morning fired fast denials to charges of police brutality against Negroes in those cities.

Birmingham Commissioner Eugene (Bull) Connor said "until the Commission on Civil Rights is ready to name names—to say who got beat up, where, and when they haven't got a leg to stand on.

"I welcome an investigation, as long as the investigation is run by someone with common sense."

COMMISSIONER L. B. Sullivan of Montgomery said "I resent the charges made" and "I deny that they are true."

Connor said the Birmingham police department would "welcome an investigation by anyone not ruled by the NAACP, CORE, Martin Luther King and other prejudiced persons or groups.

"I would welcome an investigation of the Civil Rights Commission by a representative group of American citizens.

"It's gotten so that the Birmingham Police Dept. can hardly make an arrest of a Negro without someone reporting lies about brutality to the Civil Rights Commission in Washington," Connor said.

SULLIVAN asked the committee" to forthwith present us with any evidence to support these charges they have detailed."

The Montgomery commissioner said he recalls four cases of police abuse of power in the past two years.

"Each case was dealt with properly," he said.

"We have endeavored in the past and will continue in the future to correct any abuse of the police power wherever it might be used, and against whomever it might be used, regardless of race, creed or color," he added.

THE REV. ALBERT S. FOLEY, Mobile, chairman of the Alabama advisory committee, said most of the instances reported took place during the Montgomery bus boycott.

"We deny the charges and defy them to prove them," Sullivan said.

Alabama Claims 'Rumor Report'

Police Brutality Charges 'Old Wives Tales,' Official Says

MONTGOMERY, Ala., Sept. 10.—Atty. Gen. MacDonald Gallion Sunday branded as "old wives tales" charges of police brutality in Alabama.

Mr. Gallion, referring to a report of the Alabama Advisory Committee to the United States Civil Rights Commission, said the charges are "unsubstantiated and are of the nature of gossip, old wives talkes and rumor."

The Attorney General said, "In feeding such loosely gathered and unverified information to the Civil Rights Commission in Washington, this Alabama 'do-gooder' brigade is doing this state a great disservice."

In a formal statement, the Attorney General said, "The committee states that its information came from questionnaires mailed to 'leading citizens' in Alabama which immediately brings up the question as to just how so-called 'leading citizens' had knowledge of incidents occurring in back alleys and inside jails.

No Detailed Information

The report made public by the Alabama committee gave no detailed information of such incidents.

Mr. Gallion said, "All Alabamians should be bursting with pride at the official report that has just reached my office which shows that Alabama actually has the greatest decrease in crime of any state in the entire nation.

"FBI official reports reveal that for the first part of 1961 Alabama had a decrease of crime of 3 per cent, compared with an average increase in crime of 7 per cent in other states and increases going to as high as 19 per cent in Indiana."

He said Alabama's achievements in crime prevention were brought about through cooperation of state law enforcement officers.

'Rumor Reports' Charged

Mr. Gallion said, "Reward for this certainly does not lie in unsubstantiated charges by this integrated group of rumor reports and amateur sleuths who paint such a picture defaming their own state and hastily forward it to Washington to the Civil Rights Commission with the unwarranted request for more Federal intervention."

Meantime, a Justice Department spokesman said the civil rights division has not authorized any prosecution against Montgomery policemen on the basis of the brutality complaints.

The advisory committee, citing abuses of police power in Alabama," recommended a full-scale civil rights investigation of police brutality, misconduct on the part of some court officials and the problem of voluntary integration in state classrooms.

Concetrating On Reports

Berl Bernhard, staff director of the commission, said in Washington "We are concentrating on getting out our reports. What we will do in the future as far as taking action on the recommended investigation has not been determined yet."

Four of the seven Alabama committee members contacted said there was no evidence of brutality in their respective areas. They added, however, comprehensive questionnaires returned by 46 unidentified persons in the state presented reliable evidence of police brutality.

The Justice Department spokesman said complaints received are forwarded to the Federal Bureau of Investigation which looks into each case and then reports to the civil rights division.

Justice Department Weighs Action On Charge Of Police Brutality Here

The Montgomery Advertiser

P1

By BOB COHN
Of The Advertiser Staff

A Justice Department spokesman here said Saturday the Civil Rights Division of the Justice Department has not authorized any prosecution against Montgomery policemen in several years on the basis of brutality complaints.

Reels of a report of the Alabama Advisory Committee to the Civil Rights Commission in Washington Friday citing "abuses of police power" in the state.

The advisory committee recommended a full-scale civil rights investigation of so - called police brutality in Alabama, misconduct on the part of court officials, and the problem of voluntary integration in Alabama public schools.

Berl Bernhard, staff director of the Commission, said in Washington, D.C., Saturday, "We are concentrating on getting out our reports. What we will do in the future, as far as taking action on the recommended investigation, has not been determined yet."

Four of the seven Alabama committee members contacted by telephone Saturday there was no evidence of brutality in their respective areas. They all added, however, that comprehensive questionaires returned by 46 unidentified persons in the state presented reliable evidence of police brutality.

When asked, the Justice Department spokesman said complaints are received, sent to the Federal Bureau of Investigation which looks into each complaint, and then a report is forwarded to the Civil Rights Division.

This arm of the Justice Department has not authorized prosecution in any case allegedly involving Montgomery police officers because sufficient evidence has not been uncovered to warrant prosecution, the spokesman said.

The only Montgomerian on the committee, Mrs. Francds P. McLeod, 70, the wife of a retired Methodist minister, said, "I did not take part in compiling the report.

"I haven't received a complaint from anyone in several years. The last complaint I did receive was from a white woman who claimed she was treated badly at the city jail.

"I didn't even know the committee was working on this project," OMR.McLeod added. A charter member of the Alabama Advisory Committee. Mrs. McLeod said, "I don't know what the committee haw done in the past two years."

Dr. E. B. Goode, a Negro physician in Mobile, said, "I concurred with the results of the report. Mobile isn't as bad as Montgomery and Birmingham. I can't remember who filled the questionnaires out and returned them to us. We got the returns in May."

Dr. Arthur Gray, Talladega Negro president of integrated Talladega College, said, "The report is fundementally a survey. It was not an adequate sampling but we feel the questionnaires returned to us indicate that a more complete investigation is warranted.

The Montgomery Advertiser

"I think our county (Talladega) is one of the finest in the state," he added.

Louis A. Eckl, editor of the Florence Times, said, "I feel that people of integrity and sincerity were reporting from all over the state.

9-10-61

"As far as I can ascertain there is no evidence of brutality in the Muscle Shoals area. This is a limited type report—one designed to stimulate further and more detailed investigation. The evidence received certainly indicates it's needed."

ABUSE OF POWER

Chairman of the Alabama committee is the Rev. Albert Sidney Foley, S. J., a Jesuit priest and professor of sociology at Spring Hill College.

He said Friday, 'The report was given to the commission to prompt a more complete investigation. The returns we received indicated "abuse of police power."

The three members of the committee who could not be reached, were Dr. Walter D. Agnew, Greensboro, a white Methodist minister and former president of Huntingdon College; Mrs. Vera Foster, Negro, wife of Dr. Luther Foster, president of Tuskegee Institute; and the Rev. Charles M. Prestwood, Eutaw, a white Methodist minister.

The report given to the 'commission on Civil Rights contended that Alabama "has witnessed a comparatively grave worsening of affairs in the past decade."

The Alabama Advisory Committee recommended an investigation to correct "abuse of police power" in the state; an investigation of Alabama courts; and said there is no prospect for voluntary public school integration in the state anytime soon.

MISSISSIPPI ISSUE

The Mississippi civil rights advisory committee has alao asked the Justice Department to investigate alleged "extreme police brutality" in the state.

The Alabama report stated:

"We must report more wide spread and varied forms of official misconduct. These include violent physical attacks by police officers on members of minority groups, the use of third - degree methods to extort confessions and brutality against prisoners. . ."

The committee said unbrained officers "frequently overstep the bounds of their proper duties. At times this appears in unwarranted arrests, unduly prolonged detention before arraignment, and abuses of the search - and-siezure power."

The report went on to say the police were construed by a majority of the respondents "as posing a threat to the rights of citizens to be free from intimidation and especially free from unreasonable search and siezure.

"Almost half of the respondents," the report said, "also noted that the police were regarded as distinct threats to the Negroes right to the security of his person and the privacy of his home."

The report also expressed disapproval of the use of shutguns and pistols by police "as though the policeman's nervousness on the trigger were a greater threat to them than that of potential murderers."

Gallion Scoffs At Charges Of 'Brutality'

The Montgomery Advertiser

P-1

TUSCALOOSA (AP) — Alabama Atty. Gen. MacDonald Gallion Saturday said charges of police brutality in Alabama are "unsubstantiated and are of the nature of gossip, old wives tales and rumor."

Jun. 9-10-61

He referred to a report of Alabama Advisory Committee to the Civl Rights Commission which recommended an investigation of Alabama police systems and courts.

"In feeding such loosely gathered and unverified information to the Civil Rights Commission in Washington, this Alabama "do-gooder brigade' is doing this state a great disservice," Gallion declared in a statement released here.

The state said:

"The committee states that its information came from questionnaires mailed to 'leading Citizens' in Alabama, which immediately brings up the question as to just how so-called 'leading citizens' had knowledge of incidents occurring in back alleys and inside jails."

The report made public by the Alabama Committee gave no detailed information of such incidents.

Gallion said, "all Alabamians should be bursting with pride at the official report that has just reached my office, which shows that Alabama actually has the greatest decrease in crime of any state in the entire nation.

CRIME DOWN

"FBI official reports reveal that for the first part of 1961 Alabama had a decrease of crime of 3 per cent, compared with an average increase in crime of 7 per cent in other states and increases going to as high as 19 per cent in Indiana."

Jun. 9-10-61

He said Alabama's achievements in this direction were brought about by cooperation of law enforcement officers.

He added:

"Reward for this certainly does not lie in unsubstantiated charges by this integrated group of rumor reports and amateur sleuths who paint such a picture defaming their own state and hastily forwarded it to Washington to the Civil Rights Commission with the unwarranted request for more federal intervention."

Lanett Suit Cites Police Brutalities

Montgomery Advertiser P1

Thurs 10-5-61

LANETT (Special) — Attorneys for Clarence Spradlin, Lanett, have filed a $100,000 suit against four city policemen and Chambers County Sheriff Ray Phillips, charging that he was beaten by the policemen and later denied medical care by Phillips.

The officers denied mistreating Spradlin and said they saved his life by pulling him out of the Chattahoochee River on Aug. 12, 1960. They were attempting to pick Spradlin up for questioning in connection with the burglary of a Lanett grocery store when he leaped into the river.

Spradlin, who has a criminal record dating back to 1937, is presently serving two years in Kilby Prison on a burglary conviction.

Montgomery Ala

DENIED ATTENTION

He claims the four Lanett policemen beat him up after pulling him out of the river and that Phillips denied him dry clothes or medical attention.

Police say they called an ambulance and promptly carried Spradlin to a hospital after he was taken from the river.

Dr. S. C. Simmons, the doctor who examined him, said, at the time of arrest, Spradlin would have drowned if the policemen did not pull him from the river. He added there were no marks on Spradlin which would indicate he was beaten.

Lanett City Attorney Charles Nix met with Spradlin's attorneys Tuesday in a pre-trial conference in Opelika at the U.S. District Court, Middle Division.

The case will be heard during the next session of court which will begin Oct. 23.

New Los Angeles Police Commissioner

Will Not Tolerate Brutality

Pittsburgh Courier

(Courier News Service)

LOS ANGELES — Newly appointed Negro Police Commissioner Everette has promised that neither Mayor Yorty or the Police Commission will tolerate police brutality.

Addressing the Baptist Ministers' Conference, Attorney Porter said: "We can not and will not tolerate police brutality. We are not unaware that there are instances when officers resort to the unnecessary and unlawful 'extra whack.' But there are available procedures here for dealing with complaints of misconduct toward a citizen."

Porter said the Police Department is aware of the need for a better understanding between the department and the public of the problems of law enforcement.

COMMISSIONER PORTER said that meetings with police officials and the public in various sectional stations and the integration of squad car staffs are bringing about better relationships between the Police Department and minority groups in particular, as well as all Los Angelenos in general.

Porter said Negroes need a greater voice in city government because some of the politicians who now represent us have only "feeble voices on civil and economic rights for our people."

"The ones who cannot be found until election time, should be discarded," Porter concluded.

13e 1961 D.C. OCTOBER

Police Brutality Charges Stir Negro Community

The Washington Post
By Luther P. Jackson
Staff Reporter

It was a hot night in July when the church service let out in Washington's Second Police Precinct. The service had been prolonged by a program featuring a woman evangelist and gospel singers from New York.

The church was like many others in the Precinct, where the glass fronts of deserted stores bear the Sign of the Cross, and where the marquees of old movie houses issue the Call to Worship.

These are the edifices of the poor.

More often than not, the parishioners need go no further than next door to find the sin their ministers rail against. Storefront churchgoers often share street blocks with drunks, loafers and assorted criminal types.

It was in such a block that the July church service was held. As the parishioners filed out of the church at midnight, two cruising policemen noticed the milling crowd.

Order to Crowd

The policemen drew their car to the curb and ordered the crowd to disperse. A little later, three of the churchgoers were arrested. They were charged with disorderly conduct. At a hearing in Municipal Court, they were found guilty and were each given suspended sentences of $10 or five days.

But this was not a routine arrest, trial and suspended sentence. It took Judge Mildred Reeves three hours and forty-five minutes to hear the case. This was a case in which the claim of "police brutality" was made.

The case did not stop with the Judge's verdict, for two of the three offenders charged they had been beaten by policemen. The next day, the Washington branch of the NAACP asked the United States Attorney's office to determine whether the facts warranted prosecution of the arresting officers. Assistant U. S. Attorney Edward T. Daly said the facts, as presented, did not warrant prosecution.

Meanwhile, First District Inspector Thomas Rasmusen conducted a police investigation. The police took statements from the arresting officers and affidavits from the three defendants.

The fracas started, according to the officers, after one of them attempted to arrest Andrew B. Cooper, 21, who twice refused to obey their order to move from in front of the church. The arresting officer said Cooper grabbed a door frame and pulled himself into the building.

The officer said a number of the churchgoers attempted to pull Cooper away from him. Among these, he said, were Kenneth L. Smith, 24, and Theresa Morrow, 30, who persisted in holding on to Cooper. The officer said he told his partner to call for help.

The officer said Cooper attempted to bite him and kicked him in the chest. In addition, he said, Smith swung a shoe at his head before Smith, Cooper and Miss Morrow were arrested.

Cooper told a different story. He said the policemen had driven up to the curb and said, "Everybody get away from here." The minister, Cooper said, told the crowd to come back into the church.

Cooper said he started back when the officer profanely threatened to kick him if he only sign of injury, the report continued, was a small lump on the back of his head.

At the time of the incident, the minister and a number of his parishioners flocked to the station house in protest. They particularly objected to the policeman entering the church to make an arrest.

Policeman Explains

The officer later explained that he was holding Cooper by his belt and was pulled bodily by Cooper into the church lobby. The officer also denied using nightsticks or profanity.

The NAACP dropped its complaint after the hearing in the U. S. Attorney's office. The statements against the police officers were weakened by Smith's admission that he threw a shoe at one of them and that there had been a "tug of war" between churchgoers and police.

"We were winning," the police report quotes Smith as saying, "until reinforcements came in the form of additional police."

In the Negro ghettos of cities across the Nation, there has been a rash of incidents in which slum dwellers have engaged police in "tugs of war." The charge of "police brutality" is a rallying cry for Negroes in the Nation's Second Precincts, Harlems and South Sides.

Just last week in the Hill District of Newark, N. J., a group of Negro youths stoned a police stationhouse from the vantage point of 13-story buildings in a public housing project. Down below, a mob of junior high school students was trying to rescue a youth who had been arrested for accosting a policeman.

There have been no comparable incidents in Washington. The NAACP President, the Rev. Dr. E. Franklin Jackson and Attorney John A. Shorter Jr. moreover, praised Second Precinct Capt. James E. Stargel for his effort to get at the facts in the church case. But Shorter was critical of the procedure which policemen use to investigate themselves.

Star Chamber Charged

"These police investigations are a star chamber sort of thing," he said. "There is nobody present from the other side when the statements are taken."

Dr. Jackson still is pressing for action on six charges of brutality which he presented last May to Walter N. Tobriner, President of the Board of Commissioners. Tobiner turned the police reports over to the Complaint and Review Board, a 3-man group established in 1948 to give citizens a voice in complaints against police officers. The Review Board has yet to act on the six cases.

Police Chief Robert V. Murray says many so-called brutality cases are attacks on policemen. Dr. Jackson feels that Negroes are "singled out" for police attacks.

To conciliate these points of view, Chief Murray last week endorsed Commissioner Tobriner's suggestion that a Police Academy course in "community relations" be held for all members of the force holding the rank of sergeant or above.

Mr. Jackson also is pastor of a Second Precinct Church, but his John Wesley AME Zion is a far cry from a 7th street storefront. He feels that police should solicit the help of all Negro churches and organizations in establishing better relations. He adds: "The officer on the beat hardly speaks to me."

13e 1961

D.C.

Negro Leader to See D.C. Officials On Rise of Police Brutality Cases

The Washington Post Washington, D.C.
Mon, 4-17-61
1, 2-B

The Rev. E. Franklin Jackson, president of the District branch of the National Association for the Advancement of Colored People, said yesterday that "police brutality is beginning to rear its ugly head again in Washington."

He plans to see Police Chief Robert V. Murray and Walter N. Tobriner, chairman of the Board of Commissioners, early this week to seek action to stop it, the Negro leader told an NAACP membership drive meeting at Vermont Avenue Baptist Church.

After the meeting, Mr. Jackson told a reporter that there had been a disturbing increase in the number of brutality allegations brought to his attention since December.

The charges are being made at the rate of three or four a week, he said. He said he would not discuss individual cases until he had reviewed the situation with Murray.

Reached for comment, Murray said: "No such reports have come to my attention. I have told Mr. Jackson to come by Monday or Tuesday. I didn't know until now what he wished to see me about."

Mr. Jackson said he had an appointment with Tobriner Tuesday at 3 p. m. and would confer with him about alleged police brutality, the proposed east leg of the Inner Loop and the question of promotion of Negroes within the District government.

Former Olympic track star Jesse Owens, director of the Illinois State Youth Commission, addressed the 2½-hour meeting and said the Nation's juvenile delinquency problem was greatly exaggerated: "We're dealing with a mere 3 per cent of our young people here, and when you break it down you find only one-tenth of 1 per cent actually living outside the law."

Fort Lauderdale Police Brutality Rules Beaches

Special to The Courier

FT. LAUDERDALE, Fla. Despite a city ordinance which permits Negroes use of the municipal beach in this winter resort city, police harassment of non-white attempting to use the facility has pushed local feelings to the breaking point.

This is the way things stand since the July 4th attempted "wade-ins" here, when scores of Negroes were arrested, and up to last week, when Negroes were being turned back from the beach at a barricade erected on orders of Mayor Edmund R. Burry to prevent widespread trouble.

The "trouble", as pointed out by the local branch of the NAACP which is under leadership of Mrs. Eula Johnson, president, is precipitated when segregationists attack the Negroes under the eyes of the police themselves who choose to "look the other way."

■

PLEDGED PROTECTION from violence by both the Mayor and Police Chief J. Lester Holt, Negroes have submitted affidavits to the local branch NAACP indicating that they believe Holt does not know, or is closing his eyes to the fact that police are conducting a reign of terror against Negroes to discourage their use of the beaches.

One Negro identified as having been subjected to a brutal beating at the hands of the police following his arrest and being taken to a station house, has been B. S. Thomas (see picture) whose back was injured to the extent that hospitalization was necessary.

Others were arrested and mistreated by police because they went to a beach drive-in for service, and still another because he went to the police station merely to post bond for a brother who had been arrested.

■

NEGRO LEADERS declare that it appears that the police have taken over the job of segregationists in terrorizing Negroes attempting to use the water fronts. This seems especially so in that only Negroes are the victims of arrests and turnbacks from use of the beach.

The Mayoralty - Police Chief order barring Negroes from the municipally-owned beach took effect following attacks staged upon them Friday night, Aug. 4.

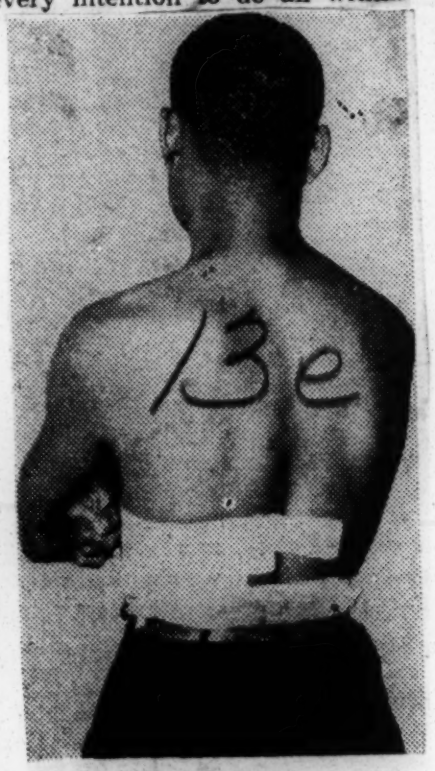
The NAACP is in the position of having wired the Mayor and City Council congratulations on the ordinance permitting open use of the beaches to all persons without regard to color.

■

THE FT. LAUDERDALE Association finds itself now in the position of having had to send a wire to Attorney General Robert Kennedy protesting the arrests and police brutality as being in violation of their civil rights, and denial of equal protection of the law on part of local enforcement officials.

The wire was sent to Mr. Kennedy, Aug. 7. On the Thursday preceding, Mrs. Johnson had received assurances from Mayor Burry that Negroes requests for adequate police protection at the beaches would be assured.

He pointed out that it was his very intention to do all within



B. S. THOMAS

his power to "keep law and order, and to prevent any instance of violence." So far things are not working out that way for non-whites attempting to use the facility.

Mrs. Johnson herself, last July, having accompanied four Negro youths to the beach, had all four tires of her car deflated by unidentified persons, presumably whites.

■

THE CITY COMMISSION of Ft. Lauderdale, in the meantime, appears to be under pressure from business interests to revoke the ordinance permitting use of the beaches by all persons.

A cue to the loopholes in the city ordinance which operates directly to the inconvenience of Negroes is the clause which gives police authority to "prevent undesirable persons" from using the beach.

So far only Negroes, on basis of the number of arrests, fall into the category of "undesirable persons."

■

FOLLOWING THE FRIDAY beach disturbances at the beach and drive-ins, Ft. Lauderdale police cars were increased in their patrol of colored neighborhoods, and police building up a case for themselves charged that bricks were being thrown at their cars by Negroes.

On Sunday, NAACP branch President, Mrs. Johnson, NAACP attorney, C. E. Graves, and NAACP field secretary, Robert W. Saunders, together with Dr. Von D. Mizell and Callis Brown, and NAACP summer worker, held a conference with city commissioners to discuss plans for withdrawing the barricades and ending the police actions.

YOUTH FACES BLINDNESS AFTER POLICE BEATING

TAMPA, Fla. — The U. S Civil Rights Commission has been asked to investigate a police beating of a young Negro after state authorities failed to act.

Rufus Cason, 23, of Olustee was attacked by four law enforcement officers in the Lake City jail last September 22, after he was allegedly overheard complaining to cellmates of his arrest.

He was then taken from his cell with the explanation, "We're going to teach you how to talk about white people."

The youth was made to sit in an arm chair, hold his arms outward with hands in a downward position and beaten by four white men with blackjacks. As a result of the brutal attack, he faces blindness.

DRUNKNESS CHARGED

He was later treated by a McClenny, Fla., physician. Mr. Cason was arrested when the car he was riding in was stopped for a faulty muffler. The driver was given a ticket. Both were jailed, Cason for allegedly being drunk.

The young man pleaded "not guilty" to charges of being drunk and resisting arrest. However, he did tell the presiding judge of his beating.

He was asked to leave the courtroom for a few moments. Shortly after, he was recalled, told to forget the whole thing, and released.

The NAACP, through Robert W. Saunders, its Florida field secretary, on September 28 appealed to Gov. Farris Bryant, who failed to respond.

NAACP follow -up revealed that Cason submitted to further medical examination on November 11 and was advised that he is "facing blindness which may directly be attributed to the beating."

The NAACP also appealed to Florida's attorney general. Receiving no response, the Association turned to the Federal Civil Rights Commission.

CIVIL RIGHTS COMMISSION
POLICE BRUTALITY

Rights Unit Asks Federal Curb

Dixie Police Brutality ... kina

WASHINGTON — A Civil Rights Commission report this week admitted that Negroes throughout the South and some other sections for the past several years have increasingly become victims of police brutality.

In the report, the Commission recommended legislation making such police actions as a Federal crime, because it "still is a continuing and serious problem."

The report was titled "Equal Justice Under Law," and contained its findings and recommendations on the administration of justice.

POINTED REFERENCE was made in the report on the treatment accorded Negroes by police in some sections of the South where the small-town officer sets himself apart, where colored people are concerned, as "judge, jury and. sometimes, executioner."

The Negro is not the only victim, the report stated. Victims of police beatings are also the poor white, and in the Southwest, the American Indian.

In a 2½-year period, the Department of Justice has authorized criminal prosecutions in 52 police brutality cases. During the same period, six of these cases were successfully prosecuted.

■

THE COMMITTEE report cited cases involving Freedom Riders in the State of Alabama, where Negroes and whites were allowed by police to become victims of mob action, and beating victims of police themselves.

..."There are American citizens in the Deep South, today, who live in fear, partly because they do not know if local policemen will help them, or the mob, when violence strikes."

Complete statistics on the subject of police brutality are not available, but the Commission's comprehensive survey records at the Department of Justice suggest that although whites are not immune, Negroes feel the brunt of official brutality, proportionately more than any other American group, the report stated.

Off the Negro, the report said: "In some sections of the U. S. Southwest, today, there are still towns where some places have signs reading, 'No Indians or Dogs Allowed'."

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GEORGIA

Police Hearing Second Stage, Wednesday Night

Atlanta World 8/
July 9-6-61

A second session of a special hearing held by the Atlanta Police Committee to reach a decision on two white policemen charged with using inhuman treatment in the arrest of a Negro is expected to convene Sept. 6 at 7:30 p.m. at the City police station.

Atlanta Ga.

A hearing called by Alderman Ed A. Gilliam, Police Committee Chairman, was halted last week after numerous witnesses testified that they saw Officers C. E. Weeks and S. R. Smith brutally beat Rayart Cox about the body and kick him into unconscousness when they arrested him for being drunk July 23.

Ald. Gilliam said that he stopped the hearing because "Ald. Everett Millican's wife was ill and he had to go home." The other police committeemen include Ald. Charlie Leftwich, Ald. Jesse Draper and Mayor William B. Hartsfield.

The brutality allegations against the officers were read by Chief Herbert T. Jenkins who stated "conduct unbecoming an officer of the City of Atlanta in using inhuman treatment in the arrest of Rayart Cox July 23. This conduct tends to bring discredit to the police department."

Local citizens have lodged many accusations against police officers in recent months on their methods of using "necessary" force in making arrests of Negroes.

At the August 28 hearing of the Police body testimony was completed in the case against the officers and a disposition on the charges is expected to be given at the session tomorrow night.

The officers represented by two lawyers did not take the stand at the first hearing and pleaded innocent to the charges against them.



Atlanta World
8/
7-29-61
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Ga

PICTURED ABOVE is 19-year-old John Henry Grimes, who charged recently that he was taken for a "ride" by two police officers last October and beaten about the head and body with brass knucks and a blackjack, just before being arrested for loitering, idling, assault and resisting arrest.

The youth alleges that he attempted to defend himself when arresting officers started beating him and his mother. Grimes said that he had to wear the neck brace for the past ten months as a result of the alleged beating. (Staff Photo by Perry)

Dismiss Charges Against Alleged Brutality Victim

Atlanta Daily World
Fri. 8-4-61

EIGHT WITNESSES TESTIFY MAN WAS BEATEN BY TWO POLICEMEN

Atlanta, Ga.

Police Court Judge Luke Arnold dismissed charges Thursday against a 23-year-old Negro after eight witnesses paraded to the stand and testified that two white officers brutally beat the man while arresting him.

The judge further admonished the police department by saying, "people are trying to pass the buck. Cases of alleged misconduct of officers should be tried before the police committee."

Rayart Cox of a New Jersey, NW. address was arrested July 23 by officers C. E. Weeks and T. R. Smith on charges of drunkness, resisting arrest and two counts of assault and battery.

Cox charged that the officers beat and kicked him about the face and body after he told the officers he was not drunk and requested a copy of charges so that he might go home.

The young defendant testifying in court with a swollen face, told the judge that he is still receiving treatment at Grady Hospital for eye wounds and lacerations.

Cox further stated that the beating began as he was being driven to Mayson-Turner and Simpson Rd. to await the police wagon. He testified that Weeks hit him in the head with some object that felt like steel when "I asked for a copy of charges."

"I jumped out of the car and started running and yelling because I was afraid that if I didn't get help they would kill me", he said.

Mrs. Esther Lofton, 336 B-Archer Way NW., testifying as an eye witness, stated "I saw Mr. Cox lying down with these two officers on top of him beating and kicking him." Mrs. Lofton said that her husband hollored out to the officers, "Don't kill that man" and the officers replied saying, "shut up" as they beat him.

Officers Weeks and Smith were represented at the hearing by police Capt. C. C. Hamby who is also an attorney. In unsworn statements, the officers said that, "only such force as was necessary was used in making the arrest".

Judge Arnold in dismissing the charges against Cox said, "It is a policy of mine that when police brutality charges outweigh criminal charges against the defendant, I dismiss the charges."

Following Cox's arrest, James O. Gibson, executive secretary of the Atlanta NAACP branch, sent telegrams to Mayor Hartsfield and Police Chief Jenkins requesting an investigation of the brutality charges made by Cox.

Alderman Ed A. Gilliam, chairman of the police committee, said July 25th that he is asking Chief Jenkins for a "thorough investigation" of police brutality charges that have been made in recent months.

DISMISS CHARGES

After charges were dismissed against Cox Thursday, the NAACP executive secretary immediately filed letters to Mayor Hartsfield and Alderman Gillman urging that proper action be taken in the case.

The letter stated in part, "The Atlanta NAACP urges that you investigate the evidence upon which the judge's opinion was based; that officers Weeks and Smith be dismissed from the police force if guilty or that such action as is deemed necessary or appropriate be taken to discipline such officers.

Alderman Gilliam Asks Charges Filed Against Policemen

Atlanta World
Sun. 8-6-61

Alderman Ed A. Gilliam, police committee chairman, said Friday that he has asked Police Chief Herbert Jenkins to file charges against two white policemen accused of police brutality in the arrest of a Negro.

The alderman said that a meeting has been set for Aug. 11 to hear charges against Officers C. E. Weeks and T. R. Smith. He further said that if they are found guilty, they will face dismissal from the force.

Police Court Judge Luke Arnold dismissed charges Thursday against a 2 3- year -old Negro after eight witnesses testified that the two policemen brutally beat the man while arresting him.

Rayart Cox of a New Jersey, NW. address was arrested July 23 by officers Weeks and Smith on charges of drunkenness, resisting arrest and two counts of assault and battery. The patrolmen claimed at the police hearing that they "used only such force as was necessary" in making their arrets.

Ald. Gilliam also directed Chief Jenkins to make a report on other allegations by Negro citizens charging brutality and to supoena witnesses if necessary.

NAACP Police Brutality Meet Slated Tonight

Atlanta Daily World
Fri. 8-6-61

A "Citizens Meeting on Police Brutality" is scheduled for 8 P. M. tonight at Springfield Baptist Church, 1811 Hollywood Road, N. W. The meeting sponsored by the Atlanta Branch NAACP, the Scotts Crossing Civic Association and other civic groups from the N. W. Area, features Rev. Wyatt Tee Walker as main speaker.

Mr. Ortelius Shellman, chairman of the Scotts Crossing Civic Association, reports that police brutality and abuse of citizens has been a constant problem in that area of the city and that complaints filed with the police department have not brought corrective action.

Atlanta, Ga.

James O. Gibson, Executive Secretary of the Atlanta Branch NAACP, stated that the purpose of the meeting was to review the situation and to outline a course of future action. "The filing of complaints with the police department has not brought results" he said. "We are meeting to discuss action that will bring results. Something has to be done"

parently all of the testimony heard in the case, the aldermen delayed reaching a decision on the white policemen.

The brutality allegations drawn up against the officers were made after many citizens had expressed dissatisfaction with arrest tactics used by white officers in the arrest of Negroes.

The officers are charged by the Atlanta Police Department specifically with using inhuman treatment in making their arrest and conduct tending to bring discredit to the police department.

SEPT. 3 TELEGRAM FROM ATTY. WALDEN

Ald. Gilliam said that Atty. Walden's telegram to him dated Sept 3 stated that he had been authorized to request the brutality hearing delay.

The function of the Police Committee is to investigate, hear and reach a decision on charges brought against persons by the police chief.

James Gibson, executive secretary of the Atlanta NAACP branch, stated Tuesday that he had been informed that the hearing will be continued on September 18.

The aldermen charged with the responsibility of reaching a decision against the white offcers are Ed A. Gilliam, Second Ward; Charlie Leftwich, Fourth Ward; E. Everett Millican, Fifth Ward.

Police Hearing Decision Delayed

Atlanta Daily World
P/1
Wed. 9-6-61

By STANLEY S. SCOTT

A special Police Committee hearing scheduled for tonight to render a disposition on two white policemen charged with brutally beating a Negro has been delayed at the request of Atty. A. T. Walden because of the "absence of material parties," according to Ald. Ed. A. Gilliam, Police Committee chairman.

Atlanta, Ga.

An earlier meeting of the committee was held August 28 and numerous witnesses told of seeing Officers T. R. Smith and C. E. Weeks kick and beat Rayart Cox into a state of unconsciousness on the night of July 23, when they arrested him for being intoxicated. Municipal Court Judge Luke Arnold later dismissed multiple charges against Cox after he appeared in court with bruises and a closed eye, and witnesses testified in hs behalf.

After two and one half hours of testimony, at a hearing last week, Ald. Gilliam halted proceedings to allow one of the aldermen sitting in on the hearing to go home and be with his sick wife. With ap-

State Charges Deputy Profanely "Hoped" Negro Victim Would Die

Atlanta Daily World p. 1 Wed. 11-29-61

Macon, Ga.

MACON, Ga. (UPI)—The state charged Tuesday that Dodge County Deputy Sheriff Benjamin Jackson Eckles profanely expressed the hope that a Negro man would die after he shot him on a Macon sidewalk August 11.

Solicitor General William M. West, in opening the state's murder case against the 38-year-old Eckles in Bibb Superior Court here, told the 12-man all-white jury that evidence would show that the defendant showed no remorse when told his victim was in serious condition.

"I hope the s. o. b. dies," West quoted Eckles as having told a Macon policeman who informed him of the condition of Thomas M. Quarterman Jr., the 25year-old Macon Negro Eckles shot.

Quarterman died in a hospital here less than three hours after the shooting.

West called four witnesses for the state before Judge Hall Bell recessed the trial for lunch. The witnesses were Catherine Solomon and Doris Schofield, two Negro women who allegedly were with Quarterman when he was shot; Dr. Leonard H. Campbell, Bibb County medical examiner; and Macon policeman K. E. Jones, one of the first to reach the scene after the shooting.

In his opening statement, West said that Eckles was "noticably under the influence of alcohol" when he was taken into custody and he added that evidence would show that Quarterman "had not bothered Eckles at all" prior to the shooting.

Defense attorney A. Russell Ross of Eastman told the jury a different story. He said Eckles had been "suddenly attacked by a large Negro man" and thought he was the victim of robbery. Ross said the shooting was in self-defense.

Ross claimed that Eckles was "on duty" as a deputy sheriff and therefore armed with a pistol, even though Macon is out of his jurisdiction. Ross said Eckles came to Macon early in the afternoon on Aug. 10, the day before the shooting, to seek a prisoner but when he failed to find him was in no hurry to return to Eastman and went instead to the Moose Club to "play some bingo" and visit with friends.

West pointed out that Eckles was still wearing a coat borrowed from the Macon Moose Lodge when arrested. Ross said the coat was one the club keeps on hand for persons who arrived there coatless at times when the club requires men to wear coats.

The two Negro women testified they were walking down the street with Quarterman and noticed Eckles staggering down the street. They said Eckles turned on Quarterman and punched him in the face. They said Quarterman punched Eckles back and then the deputy sheriff drew his pistol and shot the Negro.

Ga. County Sheriff Facing Trial for Attempt to Kill

Pittsburgh Courier p. 3 13e Sat. 11-25-41 9a

Pittsburgh, Pa.

(Courie Press Service)

JESUP, Ga.—Here in Wayne County, Georgia,—home of Frank Robinson, principal of Wayne County Training School and ex-treasurer of the St. Andrew's Beach Corporation, developers of the Negro beach resort at Jekyll Island, Georgia, is a strange paradox.

Wayne County Sheriff John Reddish is facing trial for trying to kill a Negro man. Mr. Reddish, a high-flying young swashbuckling law officer, is reported to have earned over $200,000 last year as sheriff.

He has no Negro deputies, but is supposed to be a friend of Negroes in this community, including Frank Robinson, principal of the Wayne County Training School, a businessman with substantial interests financially.

SHERIFF REDDISH, whose area was under fire by the American Automobile Association for "speed traps" on U. S. Highway 301 to Florida—which runs through here—is alleged to have earned over $200,000 two years ago in his official capacity, as a result of fines and assessments against tourists on the North-South national highway to Florida.

Reports said his men put themselves behind signboards and tapped motorists who "ran" stop signs on 301.

■

MEANWHILE, reports of increasing police brutality in Georgia continued to mount, as Negroes showed up dead or severely beaten in many of the smaller towns in the state. These will be fully disclosed in later issues of this newspaper, for the record.

Meanwhile, so-called "constitutional attorney" Charles Block, a Macon Jew, has appealed to the U. S. Supreme Court from the decision of the U. S. Fifth Circuit Court of Appeals in New Or-

leans that Mrs. Hattie Brazier of Dawson, Ga., has a right to sue city policemen for killing her husband, James, in 1958, as revealed exclusively in this newspaper.

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City Employee Says Police Beat Him In City And Grady Hospital

Judge Fines Him, Says "You Brought It All On Yourself"

By STANLEY S. SCOTT

Billy Kennedy appeared in police court Monday afternoon and was found guilty on three charges by Judge James Webb and fined $50, after the defendant's attorney exhibited a blood spattered shirt and alleged brutality on the part of arresting Negro officers.

Judge Webb, who dismissed a count of assault and battery on an officer against Kennedy who appeared in court with a busted ear and swollen face, remarked, "I take into consideration that you sustained injuries, but you brought it all on yourself."

Atty. Charlie Franco, counsel for the defendant in questioning the officers, attempted to establish how Kennedy received multiple injuries during his arrest.

Arresting Officer Hull testified that Kennedy was "drunk", leaning against a fence commiting an act of indecency when they arrested him. Hull's partner, Patrolman C. Tucker told the judge that Kennedy jumped from the two-door patrol car at a speed of approximately 30 miles per hour going east on North Avenue, and that, "maybe he received his injury then."

Kennedy's wife, Essie, testified under oath that, "my husband did not commit an act of public indecency — there was a pool of water in the street and the officers shined their light at it and at my husband."

She further stated that "we had just left Kennedy's sisters house and about 10 minutes later the officers stopped us. My husband was not drunk because he had had only two beers and he did not resist the arresting officers."

KENNEDY TESTIFIES

Kennedy took the stand and testified that the only resistance that he gave was when he told the officers, "I am not drunk."

He said that after the officers put him in the patrol car — one of them remarked, "He's one of those smart ones." Kennedy said that "he jumped out of the car and they beat me."

The City of Atlanta employee told the court that he was carried for a ride and beaten further after he arrived at Grady. He said that he was beaten and kicked in the presence of a Grady Hospital physician.

Charges against Kennedy included resisting arrest, public indecency and drunk.

Atty. Franco asked Officer A. A. Harris, on duty at Grady Hospital when Kennedy arrived, "Why was my client charged with assault and battery?" and "Didn't the doctor at the hospital tell you to stop beating Kennedy because he had had enough?"

Officer Harris stated that "Kennedy attempted to get off of the stretcher and grabbed me, but I didn't hit him behind the ear."

Slotin Calls For Bi-Racial Group Over Brutality

Phillip Slotin, candidate for Alderman, 6th Ward, charged that the rallies so far have been a contest between the candidates to see who could make the most promises in the three minutes alloted. Mr. Slotin, speaking Monday night at community civic club rally, said that he was not going to enter the promising contest; that he was relying on the facts of his past record in fighting bigotry and racial injustice, and that he was relying upon the factual and scientific results of his lie detector press conference. Mr. Slotin is the only candidate in this race and the world's first candidate to submit to a voluntary lie detector press conference.

The 31-year-old attorney said that instead of making promises, he is going to talk about solutions. The candidate then gave his solution to police brutality problems, and suggested that a bi-racial citizens brutality committee be formed composed of leading citizens of both races. Mr. Slotin said that it will be his first official act, if elected, to set up such a committee and empower the committee with full authority to investigate, subpoena witnesses, cross-examine police officers and submit police officers to lie detector tests the same as criminals. "This brutality committee shall have assigned to it a special full time investigator whose sole duty would be to investigate charges and to report directly to the bi-racial committee," Mr. Slotin asserted.

Although police brutality has been mentioned frequently in this race, candidate Slotin was the first candidate to point out a specific solution to the problem.

The Aldermanic Candidate further stated that he will, within the few minutes alloted to the aldermanic candidates at these rallies, affirmatively give his solutions to other problems as the campaign progresses.

Soldier Asks Arrest Probe

By STANLEY S. SCOTT

A 55-year-old former U.S. infantryman from Scottdale, Ga., asked the NAACP to investigate his arrest by Atlanta police on Oct. 4 on a drunk charge, after claiming he was overcome by an epileptic seizure and later thrown into a dark room, handcuffed and beaten at Grady Hospital by a policeman.

Police records reveal that the alleged brutality victim was arrested on a drunk charge at 11:56 p. m., Oct. 4 and tried in Municipal Court the following day, later being released on a suspended sentence after explaining his arrest to Judge Robert M. Sparks.

The arrested man told the Atlanta Daily World this week that he is a victim of epilepsy, a chronic nervous disease characterized by fits and loss of consciousness, and displayed abrasions about the wrists where he claimed police handcuffed him too tightly.

The man further claimed that he was on a city bus en route to Grady for treatment when the bus driver put him off at the wrong stop and police apprehended him and carried him to Grady on a drunk charge.

He said that when he arrived at the hospital, "I was in the midst of a seizure." He said he was later thrown in a dark room, handcuffed and knocked on the floor and kicked.

The former 24th Division infantryman charged that he asked to use the rest room facilities while handcuffed and locked in the dark room, but was denied the privilege.

GRADY HOSPITAL SHOWS PART OF HOSPITAL SHEET

A Grady Hospital official showed a reporter a part of the alleged victim's sheet, which stated on the diagnosis "apparently intoxicated." The hospital official concealed the rest of the sheet and stated "This is classified and it will take a court order to see his health record."

The police report indicated that the man was arrested by white patrolman G. J. Krecko.

The Atlanta Police Committe has tentatively scheduled a hearing for Nov. 1 to get a final disposition on brutality allegations charging that a 23-year-old Negro was arrested and brutally beaten by two white officers last July in a drunk charge. The arrested man was later cleared of multiple charges

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GEORGIA

Halt Brutality, Negro Leaders Ask

Atlanta Constitution

Jenkins Cites Increase of Crime, Says Each Complaint Is Probed

Sun 7-30-61

By GORDON ROBERTS

A group of Negro leaders Saturday called for an immediate crackdown on alleged police brutality, which they claim is increasing in Atlanta.

They said they wanted Police Chief Herbert Jenkins to tighten his control over actions of his men, to investigate brutality charges as they come up and to discipline any officers found guilty of such conduct.



Chief Jenkins

Chief Jenkins, conceding that some officers may use more force sometimes than is necessary to make arrests, said each complaint is thoroughly investigated and acted on according to what the facts show.

Though he admitted that complaints are getting more numerous, crime in the city is on the increase and there is "more resistance and more provocation than ever before."

* * *

ED A. GILLIAM, chairman of the aldermanic police committee, offered to convene the committee any time to hear facts on brutality charges. "We want something the committee can get its teeth into and then we'll bite," he said.

Chief Jenkins and Mr. Gilliam discussed the situation at an informal meeting at police headquarters with C. A. Scott, publisher of the Atlanta Daily World; Warren Cochrane, executive director of the Butler Street YMCA, and the Rev. J. E. Grier.

* * *

THE NEGROES are members of a committee named by the Atlanta Negro Voters League. They pointed out that they were not representing the local NAACP, which has demanded an investigation of charges that Atlanta police "brutally, viciously, unnecessarily" beat a Negro man arrested last week.

Repeatedly referred to in the discussion and looming in the background was the effect a full-scale, publicized investigation might have on impending school and lunch-counter desegregation and the current race for mayor.

CHIEF JENKINS said he thought it would be a mistake for the police department to become involved in an investigation at this time, pointing out that there were only 33 days left before he would be faced with the biggest job he's ever had: keeping the peace during desegregation of four Atlanta high schools.

He also said it seemed to him that things such as the police brutality charges "get publicity just before election."

Mr. Cochrane said there was "tension and unrest" in the Negro and white communities, and that may in part be one reason for increasing complaints about brutality. "But the fact remains that it has increased," he said.

Most of the discussion was dominated by exchanges between Chief Jenkins and Mr. Scott. The Negro newspaper publisher first objected to the presence of a news reporter, declaring that "publicity might not be helpful right now."

He said a "quiet investigation" was needed, later adding that it ought to be held within the department by Chief Jenkins, and that he had names of parties he didn't want released to the press.

* * *

HOWEVER, the meeting got under way after the others declined to ask the reporter to leave.

"It frankly looks like there must be some basis for these charges. Where there's so much smoke, there must be fire," Mr. Scott said.

Mr. Gilliam said he had thought brutality was "at a low ebb," but there have been numerous complaints he wanted to have looked into. He said he didn't want to be a party to "a witch hunt or a whitewash."

* * *

MR. SCOTT cited by name several persons who have charged brutality and said Chief Jenkins ought to look into the cases. Chief Jenkins said they already were being investigated.

The chief later said there were less than one complaint for every 1,000 cases handled annually by the department, and "there's really no complaint about two-thirds of the charges."

Police "Brutality" Cases Aired; Chief, Committee Confer

Atlanta World

Sun 7-30-61

By STANLEY S. SCOTT

A three-man investigating committee appointed by the Atlanta Negro Voters League met in an hour-long session Saturday morning at police headquarters with Alderman Ed A. Gilliam, Chief Herbert T. Jenkins and other officials, to discuss charges of alleged police brutality on Negro citizens.

The committee members included Warren R. Cochrane YMCA executive secretary; C. A. Scott, editor and general manager of the Atlanta Daily World, and Rev. J. D. Grier, pastor of Fort Street Methodist Church.

A spokesman for the group said after the meeting: "We left a list of seven cases which we felt deserved investigation" prior to a scheduled police committee meeting set for August 2 to air numerous allegations of brutality against the department.

The committee source representing the Negro Voters League further stated: "The committee expressed the feeling to the officials that in our opinion some unnecessary force was used."

C. A. Scott, committee chairman, stated: "The chief said he had investigated all but two of the cases and has promised to make a report to the board of aldermen at a subsequent date."

POLICE CHARGED

In recent weeks, the Atlanta police department has been deluged with charges of police brutality in arresting Negro citizens.

Earlier in the week Alderman Ed. A. Gilliam, police committee chairman, ordered Chief Jenkins to make a "thorough investigation" into brutality charges and present his findings before his committee Aug. 2.

James Gibson, executive secretary of the local NAACP sent telegrams to Mayor Hartsfield and Chief Jenkins, after getting signatures of citizens who allegedly witnessed policemen beating a Negro in the street after the victim was arrested on charges of being drunk.

Chief Jenkins claimed Friday that countless policemen have been injured and hospitalized in the past 12 months with two officers having been killed.

Chief Jenkins said that 191 officers have been injured for various lengths of time from injuries suffered at the hands of citizens. However, during this same 12 month period 240 persons who had been placed under arrest required hospital treatment, the chief said.

Jenkins pointed out that Patrolman Claude E. Mundy Jr., was fatally shot while attempting to make an arrest Jan. 5, and Patrol man H. W. Dye was killed when he attempted to make an arrest last October.

Family Charges Police Brutality

Accuse Westside Policeman Of Kicking In Door, Striking 16-Year-Old Girl

By HILLARD J. McFALL

A Westside family has filed a complaint with Supt. O. W. Wilson of the Chicago police department, charging that a policeman from the Warren Avenue station, forced his way into their home by kicking open a door, threatened to shoot the father and knocked a 16-year-old daughter down with a night stick.

Making the charges are the Robert Spikes family of 323 S. Albany ave. Spikes, the father, is under bond on charges of resisting arrest and disorderly conduct, while his wife Cora, faces disorderly conduct charges. The daughter, Regina, was cleared in Family Court of the charges lodged by the arresting officer.

Spikes said the trouble began when his dog bit a neighbor's child who often played with his children. A relative of the injured child came to the Spikes' home and they decided to call the police.

According to reports a squad of policemen from the Warren Ave. station came to investigate. One of the officers asked Spikes whether he had a license for the dog and Spikes said he did not.

The policeman then said he would have to write up two tickets for the Spikes' family for not having a license and for not having the dog vaccinated. The officers then left the apartment and sat in a squad car parked in the alley, said Spikes.

They returned to the flat about 20-minutes later, Spikes added and handed two tickets to him which he refused to accept because he said he did not know what the officers had on them.

The tickets blew out the window after the officer threw them on the floor, Spikes explained. The officers then left and a short time later one of them returned with several other policemen who remained outside.

"One of the officers whom I later learned was named Thomas Feccarotta tried to break down the door with his shoulder and before I could get up from where I was sitting to open the door, the policeman kicked the door open and came in with his gun in his hand.

"The other officers stayed outside," said Spikes. Feccarotta pointed his gun at me and said, 'you are one of those smart n-----,'" Spikes declared.

SPIKES DAUGHTER

At this time Spikes' daughter, Regina, who had been in the yard, came to see what all the commotion was about. She said, "I saw the policeman shaking a gun in my father's face and heard him callin Dad all kinds of names. I thought he was going to sho him so I jumped betwe them and asked him not to shoot my father," she stated.

"Then the officer who had a gun in one hand and a club in the other, hit me on the head with the club and pushed me out of the rear door and down the stars backwards. When I landed on the bottom, he attempted to hit me with the club again, but was stopped by other officers," concluded Regina.

Mrs. Spikes said she was arrested and mauled over by a policeman in the lockup of the Warren Ave. station when she went there to inquire about her husband and daughter, both of whom had been arrested.

Mrs. Spikes said two of her children, Hattie, 5, and Gerard, 3, were in the room watching the assault and that the officer endangered their lives when he drew his gun and waved it around.

ARRESTS VET

Spikes is slated to appear of 328 S. Whipple st., a neighbor who was visiting him, was also arrested by the same officer. He said the policeman pushed Bernard, a disabled veteran, in the stomach with his night stick and tried to get him to say he (Spikes) was a troublemaker.

Mrs. Spikes said her mother, Mrs. Hattie Turner, 60 came to the Warren Ave. station to inquire about her and she was threatened with arrest if she did not leave the station.

On Wednesday, Regina appeared in Family Court on complaints reportedly filed by the arresting officer, but was not held because of insufficient evidence.

Spikes iss lated to appear n Branch 40 at 1121 State st., Friday along with his wife and Bernard who is charged with disorderly conduct.

Officials of the National Association for the Advancement of Colored People were i formed of the case and a investigating it.

Lt. John McCarthy, of th Warren Ave. station has bee assigned to investigate tl case. He said Feccarotta to him he received a call to i vestigate a dog bite case ar that upon arrival he talk with Spikes who refused take the ti kets and told hi where he could put them no uncertain terms.

Feccarotta said he w abused by the Spikes' fami when he tried to serve tl tickets and that they gave hi a lot of trouble. Capt. Patri Flynn is the district cor mander.

When the station was co tacted by the Defender tl captain was absent, but M Carthy said a full investig tion will be made of all tl complaints.



SPIKES FAMILY gathers in their S. Albany ave. home following the arrest and alleged beating of Regina Spikes, 16, (upper left), by policemen from Warren Ave. station, who reportedly kicked down their door while investigating a dog bite case. Robert Spikes, the father, and Cora, his wife, also were arrested. Spikes said the officer had no warrant for his arrest and there was no reason for the beating of his daughter and the jailing of his wife. NAACP is investigating the case. Shown are (front row) Hattie, Michael, Robert, jr., and Minerva. (Rear) Regina, Spikes and Mrs. Spikes holding youngest children.

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Rule Brutality Victim Can Sue In U.S. Court

The U. S. Supreme court ruled 8-1 Monday that James Monroe, 3339 W. Van Buren st., may bring a civil damage suit in federal court against city policemen who allegedly ransacked his home, manhandled his wife and children and placed him under false arrest.

Justice William O. Douglas delivered the court's opinion. Justice Felix Frankfurter dissented.

Monroe tried to sue in a federal district court here under an 1871 law which makes it a crime for anyone through state law or custom to deprive a citizen of rights secured by the U.S. Constitution.

NO DOUBT

Douglas said there is no doubt that Congress has the power "to enforce provisions of the 14th Amendment against those who carry a badge of authority of a state and represent it in some capacity, whether they act in accordance with their authority or misuse it.

The case that has become a cause celebre began on Oct. 29, 1958.

A white man was killed on the Westside and his wife told police he was killed by a Negro during a holdup.

Police, led by then Deputy Chief of Detectives Frank Pate, supposedly acting on a tip went to Monroe's home which was then at 1424 S. Trumbull st.

KICKED IN DOORS

Monroe alleged they kicked in both his front and back door just before daybreak, forced him and his wife to get out of bed in the nude and refused to permit either to put on any clothing. He alleged that Pate punched him, called him vile names.

He charged that Pate knocked down his four-year-old son as he cried, knocked down another one of his six children and manhandled a daughter as she sought to summon help.

Monroe said the officers then literally tore the place apart; ripping up mattresses breaking furniture, dumping contents from drawers and scattering clothing about the floor.

All of this, Monroe charged, was done and the officers did not have a search warrant.

NO CHARGES

At this point the officers handcuffed and took him to a police station where he said he was abused, denied permission to contact an attorney, and was released 10 hours later without any charges being brought against him.

Later, police arrested the murdered man's wife, Mrs. Mary Saisi, and her boyfriend who had actually done the killing. Both are now serving time in prison for the murder.

Monroe's original suit named Pate and 12 other officers as defendants.

ILLINOIS



JAMES MONROE, 3339 W. Van Buren, and wife, Flossie, confer with their attorney, Donald Page Moore. Atty. Moore will retry the Monroes' civil rights case against City of Chicago and other policemen when it comes up for retrial in Federal Court. Pape and 14 policemen invaded his home Oct. 27, 1958, holding him without charge for 10 hours. Monroe is asking $570,000 in damages charging that Capt. beating him and terrorizing his wife and children, then (UPI Telephoto)

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Rule Brutality Victim Can Sue In U.S. Court

Chicago Defender 1-12

The U. S. Supreme court ruled 8-1 Monday that James Monroe, 3339 W. Van Buren st., may bring a civil damage suit in federal court against city policemen who allegedly ransacked his home, manhandled his wife and children and placed him under false arrest.

Justice William O. Douglas delivered the court's opinion. Justice Felix Frankfurter dissented.

Monroe tried to sue in a federal district court here under an 1871 law which makes it a crime for anyone through state law or custom to deprive a citizen of rights secured by the U.S. Constitution.

NO DOUBT

Douglas said there is no doubt that Congress has the power "to enforce provisions of the 14th Amendment against those who carry a badge of authority of a state and represent it in some capacity, whether they act in accordance with their authority or misuse it.

The case that has become a cause celebre began on Oct. 29, 1958.

A white man was killed on the Westside and his wife told police he was killed by a Negro during a holdup.

Police, led by then Deputy Chief of Detectives Frank Pate, supposedly acting on a tip went to Monroe's home which was then at 1424 S. Trumbull st.

KICKED IN DOORS

Monroe alleged they kicked in both his front and back door just before daybreak, forced him and his wife to get out of bed in the nude and refused to permit either to put on any clothing. He alleged that Pate punched him, called him vile names.

He charged that Pate knocked down his four-year-old son as he cried, knocked down another one of his six children and manhandled a daughter as she sought to summon help.

Monroe said the officers then literally tore the place apart; ripping up mattresses breaking furniture, dumping contents from drawers and scattering clothing about the floor.

All of this, Monroe charged, was done and the officers did not have a search warrant.

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ILLINOIS



JAMES MONROE, 3339 W. Moore will retry the Monroes' civil rights case against policemen when it comes up for retrial in Federal Court. Monroe is asking $570,000 in damages charging that Capt. Pape and 14 policemen invaded his home Oct. 27, 1958, holding him without charge for 10 hours. (UPI Telephoto) his wife and children, then Van Buren, and wife, Flossie, confer with their attorney, Donald Page Moore. Atty. City of Chicago and other po-

High Court Says Negro Can Sue Chicago Police

Abuse Of Self, Family Claimed During Arrest

From Wire Dispatches

Washington, Feb. 20.—The Supreme Court ruled Monday that a Chicago Negro who claims he was a victim of police brutality can sue local police in Federal Court under an 1871 civil-rights law.

The 8-to-1 decision, which could lead to similar suits elsewhere, means he can bring suit directly in Federal Court even though State courts may provide him legal recourse. Justice Felix Frankfurter dissented.

Specifically, the decision authorized the Chicagoan, James Monroe, to bring a civil-damage suit in Federal Court against City policemen who, Monroe claimed, ransacked his home, abused his family and himself, and placed him under false arrest.

1871 Law Invoked

Monroe brought suit in Chicago Federal District Court under the so-called Ku Klux Statute of 1871, which was aimed at supplementing the 14th Amendment, which protects life, liberty, and property regardless of race, color, or creed.

In the past, the Federal Government has instituted cases where individual civil rights have been abused by local authorities. Monday's ruling opens the way for the individual involved to bring suit.

Among other major actions of the day, the high court:

1. Upheld a New York District Court order stripping United States citizenship from racketeer Frank Costello. The action opens the way for possible deportation proceedings against the elderly gambler who was brought to this country from Sicily as a child. Costello is serving time in Atlanta on conviction of income-tax evasion.

2. Reinstated an indictment charging that Dave Beck, former Teamsters Union president, violated the Taft-Hartley Act by accepting a $200,000 loan from trucking interests. The indictment also named Roy Fruehauf, the Fruehauf Trailer Company, Burge Seymour, Associated Transport, Inc., and the Brown Equipment & Manufacturing Company.

$852,075 Award Nullified

3. Threw out on a unanimous decision an $852,075 award won by the Pennsylvania Motor Truck Association and other trucking interests in a long legal battle against 24 Eastern railroads and Carl Byoir & Associates, Inc., a public relations firm. The truckers contended the railroads had conducted a campaign of harassment against the highway carriers in violation of antitrust laws. The high court held that antitrust laws were not violated.

4. Refused to review a decision of the Connecticut Supreme Court upholding constitutionality of a State law that permits towns to transport parochial school pupils with public funds.

'Brutality' Suit OK'd Under Old Rights Law

Supreme Court Upholds Chicago Man's Suit Against City Police Force

WASHINGTON, Feb. 20 (UPI)—The Supreme Court ruled today that a Chicago Negro who claims he was a victim of police brutality can sue local police for damages in Federal Court under an 1871 civil rights law.

The 8-1 decision, which could lead to similar suits elsewhere, means he can bring suit directly in Federal Court even though state courts may provide him legal recourse. Justice Frankfurter dissented.

Specifically, it authorized the Chicagoan, James Monroe, to bring a civil damage suit in Federal Court against city policemen, who Monroe claimed ransacked his home, abused his family and himself and placed him under arrest.

Chicago city authorities had claimed that the police in the Monroe case had violated the state constitution and Illinois laws, therefore he should seek redress in state courts.

Argument Rejected

Speaking for the majority, Justice William O. Douglas rejected that argument.

"It is no answer that the state has a law which if enforced would give relief," he said. "The Federal remedy is supplementary to the state and the state remedy need not be first sought."

Monroe brought suit in Chicago Federal District Court under so-called Ku Klux statute of 1871 which was aimed at supplementing the 14th amendment protecting life, liberty and property regardles of race, color or creed.

In the past the Federal government has brought cases where individual civil rights have been abused by local authorities. Today's ruling opens the way for the individual to bring suit.

Monroe claimed that at 5:45 a.m. Oct. 29, 1958, Deputy Chief of Detectives Frank Pape and 12 other police broke into his home, ordered himself and his wife out of bed, pushed and kicked their six children, struck him with a flashlight and called him "nigger" and "black boy."

He also claimed that without search or arrest warrant, the police ransacked his home, then handcuffed him and took him to jail. There, according to Monroe, he was periodically placed in police lineups and questioned on and off for 10 hours about a murder case. He said he was refused permission to call an attorney, was never brought before a judge and finally released without any charge being brought against him.

Other Court Actions

In other actions today, the court:

—Reversed a New York judge by an 8 to 1 vote and gave the Justice Dept. permission to proceed with the prosecution of ex-Teamster Union Chief Dave Beck and five employer defendants on charges they illegally loaned the labor leader $200,000.

—Upheld 6 to 2 a denaturalization judgment against imprisoned one-time king of the rackets Frank Costello. He is due to be released from a sentence from income tax evasion July 26.

Denaturalization often opens the way for deportation proceedings by the government.

—Upset a $652,074 anti-trust judgment against 24 eastern railroads which had been brought by the Pennsylvania Motor Truck Assn. The truckers contended that the railroads had conspired with the public relations firm of Carl Byoir & Associates in a publicity campaign to damage their interests among state legislators. The Supreme Court today said it was "restoring what appears to be the true nature of the case—a 'no holds barred fight' between two industries."

—Dismissed a challenege of a Connecticut law which allows communities to provide bus transportation for pupils of non-profit parochial schools. It said the case offered "no substanial Federal question."

—Agreed to look into the job security afforded workers under the government-approved merger of the Erie Railroad with the Delaware, Lakawanna & Western.

—Let stand the contempt of Congress conviction of Ohio labor leader William Presser, who refused to turn over Teamster Union financial records to the Senate Labor Rackets Committee.

Chicagoan Wins Civil Rights Suit

High Court Invokes 1871 Law To Allow Negro To Sue City Policemen

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State Recourse

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Claims Abuse

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HIGH COURT BACKS SUING OF POLICE

Federal Action Authorized in Civil Rights Cases

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, Feb. 20—The Supreme Court held today that policemen and other local officials who violated a citizen's constitutional rights could be sued for damages in Federal courts.

A Chicago Negro, James Monroe, brought the case after thirteen city policemen broke into his home early one morning. He said they hit him, made him and his wife stand naked while they searched without a warrant, then held him illegally in jail before finally releasing him without charges.

Justice William O. Douglas write the principal opinion for an 8-to-1 majority. He said Mr. Monroe could sue the policemen as individuals but could not sue the City of Chicago.

The sole dissenter was Justice Felix Frankfurter. In a fifty-eight-page opinion he argued that the right to bring local officials into Federal Court should be strictly confined to preserve proper Federal-State relationships.

Returning from its mid-winter recess, the court also took these actions:

¶It stood by a 1947 decision that states might constitutionally supply buses for parochial school children. The court dismised a new challenge to this rule, two justices noting that they would have heard the case.

¶It upheld an order stripping Frank Costello, the racketeer, of his citizenship because he gave his occupation as "real estate" when he was naturalized in 1925 instead of answering truthfully "bootlegging."

¶It threw out an $852,074 judgment against Eastern Railroad and a lower court finding that they violated the Sherman Antitrust Act by conspiring to injure the reputation of trucks in Pennsylvania through deceptive public relations methods.

Monroe's Accusation

The Monroe case began at 5:45 A. M. Oct. 29, 1958. According to the complaint, this was what happened:

Frank Pape, Deputy Chief of Detectives, and twelve other men broke through two doors of the Monroe apartment. They woke Mr. and Mrs. Monroe and forced them at gun point to get out of bed naked and stand in the living room. The six Monroe children were also herded in there.

Chief Pape hit Mr. Monroe in the stomach with a flashlight and called him "nigger" and "black boy." Other policemen pushed Mrs. Monroe, kicked some of the children and pushed them to the floor.

The Police, who had no arrest or search warrants, ransacked the apartment, dumping drawers and ripping open mattresses.

Mr. Monroe was taken to a police station, where he was questioned about a murder. For ten hours he was detained on open charges and shown in several line-ups. He was not brought before a magistrate or allowed to call a lawyer. He was finally released without charge.

The Monroe family sued the policemen and the City of Chicago for $200,000. The case never got to trial, because a Federal District Judge and the Seventh Circuit Court of Appeals dismissed the case.

The central issue before the Supreme Court today was the meaning of the Civil Rights Act of 1871, passed by Congress to deal with the Ku Klux Klan. It permits damage suits in Federal courts against anyone who, "under color of" state law, deprives someone of constitutional rights.

It was the phrase "under colpr of" law that divided the majority and Justice Frankfurter.

The court read the phrase simply to refer to any person acting under the guise of official authority. That would include any policeman or, presumably, any local or state employe.

Justice Frankfurter said the phrase should be read to cover only officials whose actions were actually authorized by state and local law. Since what the policemen did was against Illinois law, Justice Frankfurter said they could not be said to have acted "under color of" law.

This disagreement is significant because most infringements on constitutional rights are also, at least theoretically, violations of local law.

For example, the Justice Department has prosecuted local policemen for beating prisoners. It does so under an 1866 criminal statute quite similar to the 1871 civil statute and containing the same "color of law" phrase.

Since the policemen doubtless violate some state law by beating prisoners, under the Frankfurter view they could not be prosecuted under Federal law. Thus, this concept would drastically reduce the number of both civil and criminal civil rights cases that could be brought in the Federal courts.

Relies on Law's History

Justice Frankfurter relied heavily on the legislative history of the 1871 act. But he also had a policy reason for construing the act narrowly—to keep the Federal courts out of what he considers state and local business.

He said the broader construction adopted by the court made the Federal Constitution "a law to regulate the quotidian business of every traffic policeman, every registrar of elections, every city inspector or investigator, every clerk in every municipal licensing bureau in this country."

Stopped For Minor Traffic Violation, Shot Twice By Cop

The Louisiana Weekly

New Orleans, La.

Victim Makes 'Wrong Move' For Wallet

Was it absolutely necessary for a New Orleans police officer to shoot down an unarmed man who had allegedly committed a minor traffic violation?

This is the question which has been raised by interested Negro citizens in the case of George J. Wilfred, 26, of 2613 Liberty Street, who is in serious condition in Charity Hospital at press time.

According to police records, Wilfred was shot twice in the chest by Patrolman Johnnie C. Miller, 31, 3815 Williams Blvd., Kenner, La., who is attached to the accident investigation division, Badge No. 590.

The police version is that Miller noticed an automobile in the vicinity of Utility Pole 12343, Old Gentilly Highway Sunday night. The vehicle, according to police, had no tail lights and glaring headlights. Wilfred was driving, and there were three other occupants.

Miller, according to reports, had stopped the car and was writing a traffic citation. He allegedly asked Wilfred where he was working and asked to see his social security card.

The police report stated that Wilfred opened the door of his car, knocking Miller off balance, and "reached" for his



GEORGE WILFRED

pocket. Miller whipped out his revolver and fired two shots striking Wilfred in the chest.

The occupants of the automobile were identified as Shirley Davenport, 22, 2617 Desire Street; Eldridge Hunter, 26, 1836 1/2 Pauline; and Viola Connolly, 26, of Clouet and Law Streets. None were available for interview at press time.

Police reports said the Connolly woman "bent over Wilfred, talked to him and then fled." The officer was quoted as saying she "may have fled with a weapon" although he made no mention of actually seeing such.

Wilfred was taken to the Charity Hospital where it was necessary to give him 22 pints of blood before he underwent surgery. At press time, he was in serious condition but was under a "round-the-clock" police guard.

Meanwhile, he has been booked with "aggravated battery" on Ptn. Miller, and also for two traffic citations.

Officers say Wilfred, who has aliases of "George Jackson" and "Sonny" is an ex-convict with a record beginning in 1952. He served 14 months in the Federal Reformatory at El Reno, Okla., for theft of government property, records disclose.

Police records say that Wilfred was in the company of Shirley Davenport at the time of the shooting. Reports state that she turned over Wilfred's wallet to Third District officers and that the wallet contained several pawn tickets for a wrist watch, clock radio, a ring, and a German automatic revolver.

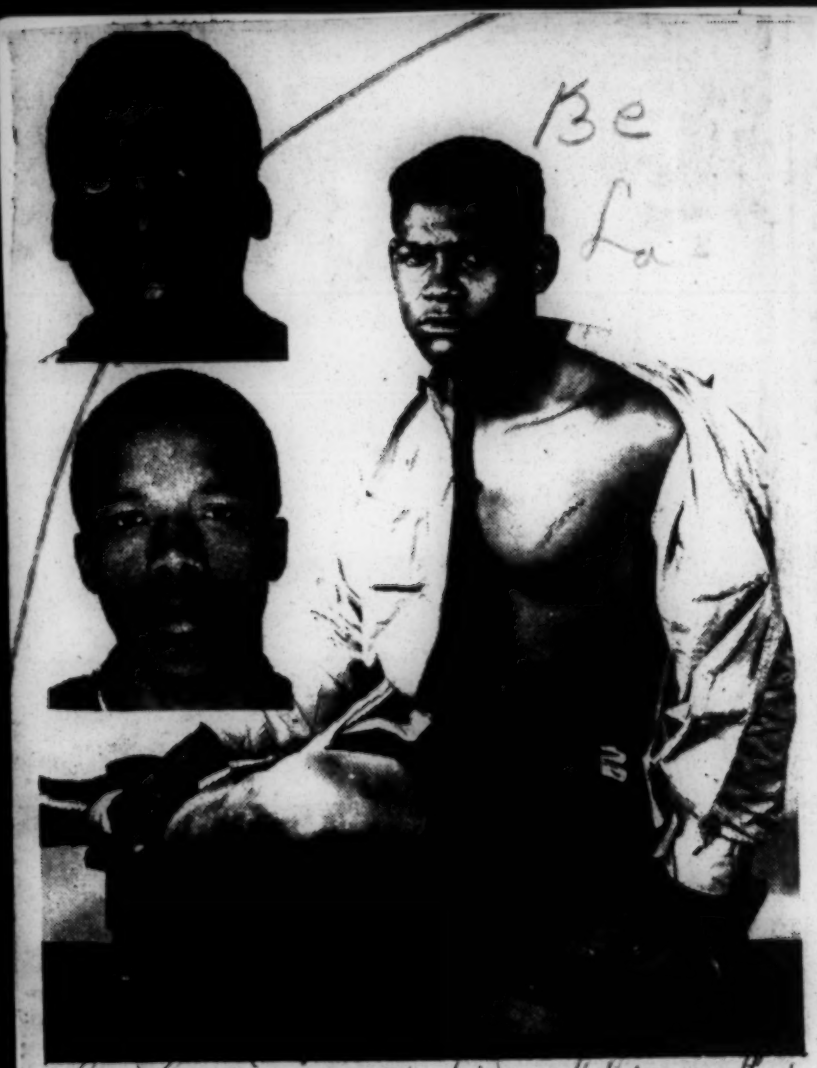
Interested persons have contacted the New Orleans NAACP and are urging its officers to request a full investigation into the Wilfred shooting on the grounds that no statement has been made which justifies the policeman's actions.

It is pointed out, also, by interested persons that the understanding by the public is that police officers are permitted to use only such force as is necessary to place a person under arrest, and is to use his revolver only when absolutely necessary.

Report Beating Of Boy by Police

NEW ORLEANS — Juvenile Court authorities at press time were investigating the alleged beating of a 15 year old Negro boy on Jan. 13, in the Second District Police Station. It was learned from reliable information that the youth was being "questioned" for burglary.

The youth, whose name is withheld, reportedly suffered head injuries which required 15 stitches. The investigation was under way despite the contention of police officers that the youth "fell down stairs" and suffered the injury.



ONE CHARGES BRUTALITY -- Clarence Nocentelli, 19, exhibits contusions of the chest and leg which he says were inflicted by Fifth District police while he was in their custody. He was arrested along with Casey Johnson, upper left inset, and Charles Harris, lower left inset, on charges of theft, simple burglary and possession of stolen goods.

Complaint Of D'town Youth Being Probed

Worried parents of a downtown youth being held in jail on charges of simple burglary, theft and possession of stolen goods, complained this week that he had been severly beaten while in the custody of Fifth District Police.

The youth, Clarence Nocentelli, of 1919 1/2 Benton Street, and Charles Harris, 2519 Tricou and Casey Johnson, 5913 North Derbigny, all 19 years old, were arrested last week. They are being held in the Parish Prison in lieu of bonds totaling $4,000 each, records disclose.

Nocentelli's parents, Mr. and Mrs. James Nocentelli, 2000 Benton Street, say the youth was arrested from his home at 4 0'clock in the morning April 11. He was taken to the Fifth District station, they said.

Mrs. Nocentelli said she went to the police station April 15 about 8 p.m. to bring her son cigarettes. She said she walked through an open door and went toward the rear of the station when she heard her son screaming. "Please don't hit me any more; I haven't done anything."

She did not see her son, Mrs. Nocentelli said, and at that time she was noticed by two policemen coming from the rear section. They chased her out, Mrs. Nocentelli declared.

The boy's father, James Nocentelli, said he contacted Atty. Cyril Dumaine and had him released on parole about an hour later.

Mr. and Mrs. Nocentelli said their son complained of having been brutally beaten. They quote him as saying he was struck across the head with a huge ledger book, beaten with an electric cord, kicked in the groin and burned behind the neck with a cigarette.

The father said he took young Nocentelli to a photographer and had pictures made of contusions on the chest and leg, and the cigarette burn on his neck.

Several days later, according to the father, police re-arrested Nocentelli. Criminal Court records show Nocentelli, Harris, and Johnson were charged April 18.

The elder Nocentelli told of receiving a telephone call from an unidentified man. He said the caller offered to have the theft charge dropped for payment of $100. The caller according to Nocentelli told him to go to Broad and Bruxelles Streets near the bakery and to be on the lookout for a man in a gray Buick.

"My lawyer advised me not to go," the elder Nocentelli said. "I received another call from the same person who said he would come to my home Friday, but he never showed up."

The Louisiana Weekly on Tuesday brought the complaint to the attention of Police Department officials and the matter was being processed at press time.

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Student Enters Protest On New Orleans Brutality

LOS ANGELES—A local art student who left here for Jackson, Miss., last June 21 has sent to Attorney General Robert Kennedy a report of brutal treatment by two police officers in New Orleans.

George Blevins, 21, said he and two other "Riders" were arrested for vagrancy, when they visited a Negro home.

BLEVINS SAID they were first beaten by another prisoner in the patrol wagon and when they arrived at the police station, were clubbed, beaten on the head with blackjacks, kicked, threatened and cursed by the officers.

The young student said he received a cut on the scalp which necessitated four stitches.

Blevins says that although none of the "Riders" were violent at any time, they were booked on charges of aggravated assault and attempted escape.

Mother Of 14 Passes Crisis After Illness

Mrs. Lillie Patterson, 35-year-old mother of 14 children, who was hovering between life and death last week, has passed the crisis of her illness in Charity Hospital and is believed to be on the road to recovery, The Louisiana Weekly learned Tuesday.

Mrs. Patterson, who had complained of being beaten by three New Orleans policemen on August 5 while she was in the seventh month of pregnancy, was rushed to Charity Hospital on Sept. 4 where she underwent an emergency operation and her expected baby was found to be dead.

Interviewed by the Louisiana Weekly, her husband, Wallace Patterson, 2307 Dryades Street, said he was happy that his wife is apparently on the road to recovery after a close brush with death. He said she had been on the "dangerously ill" list in Charity Hospital for several days last week.

At the time of her complaint, Mrs. Patterson told The Louisiana Weekly that she had been slapped, dragged and kicked by three police officers who had noticed her and an elderly man in an argument as they drove past her home.

The Louisiana Weekly called the complaint to the attention of the police department officials who conducted an investigation.

Found Dead After Cops 'Subdue' Him

The death of a 24-year-old man in the Sixth District police station some four hours after he was arrested Tuesday on charges of simple burglary, resisting arrest, simple battery and attempted escape was under investigation at press time. Police said it had been necessary to use force on the man.

The dead man, Ezell Ward, of 7907 Oleander Street, and John "Baby" Mackie, 25, of 4001 Magnolia Street, had been arrested about 3:22 a.m., Tuesday in connection with the theft of a quantity of whiskey from the "This Is It Bar," 3310 South Claiborne Avenue.

"FOUND UNCONSCIOUS"

Ward was found unconscious in a cell in the Sixth District police station by Patrolman Leon Pate about 6:10 a.m., and was pronounced dead at 6:40 a.m., by a Charity hospital doctor who had been summoned to the scene.

According to police, Ptn. Pate had checked Ward's cell at 4:50 a.m., and the prisoner appeared to be all right.

"WAS SUBDUED"

Mackie and Ward, according to reports, were arrested while crawling in high weeds in the back of the burglarized tavern. They were believed to have been accompanied by a third man who escaped.

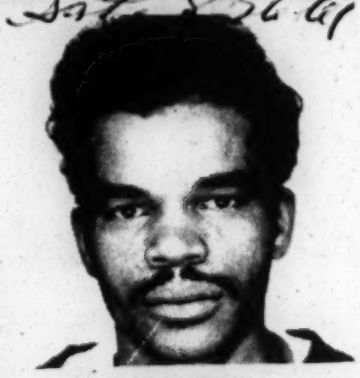


EZELL WARD

Police say that while Ward and Mackie were being taken to the Sixth District station, they resisted arrest and tried to escape. Reports are to the effect that while being taken from the patrol wagon, Ward grappled with Patrolman Richard Kelly and both fell to the ground. Ward, according to police, struck Kelly who "had to exert necessary force to bring him under control."

HAD MANY INJURIES

The Louisiana Weekly learned late Tuesday that a post-mortem of Ward showed he had died of "cerebral edema, acute congestion of the liver, lungs and kidneys, and subcutaneous hemorrhages of the chest wall.



JOHN MACKIE

Laboratory tests were to be made of Ward's vital organs, it was learned.

Late Tuesday, Mackie was still in police custody and was unavailable . . . a statement on the incident.

Pregnant Complainants Say Police Punched, Kicked Them

Two mothers, both in the seventh month of pregnancy, compalined to the Louisiana Weekly this week that they had been kicked and beaten by white New Orleans policemen. The Police Department is probing the allegations.

The complainants are Mrs. Lillie Patterson, 35, of 2307 Dryades Street, mother of 14 children who is expecting her 15th child; and Mrs. Mildred Jason, 32, of 2109 Lebouef St., Algiers, who is expecting her sixth child.

DESCRIBES INCIDENT

Mrs. Patterson told the Louisiana Weekly she was arreste from her home about 9:30 p.m Saturday following an argumer with an aged man, Ezell Fra cis, who lives at the sam address.

She said a birthday part honoring her 5-year-old so was in progress when the chil ran to the front end of the upstairs porch where the aged man's apartment is situated. Mrs. Patterson said the ma threatened the child and tha she became involved in an argument.

"SHUT UP, B...H"

A police car was driving past she said, and then stopped at the scene. Three policemen, two of them uniformed, were in the car. Number 61. Mrs. Patterson said. One officer ran up the stairs and asked her, "What's the matter, n..?" she declared.

"When I started to tell him, he told me, 'Shut up, b...h.'" she related.

She said the policeman grabbed her, twisted her arm behind her back, pulled her across an oil heater on the porch and started toward the steep stairway. She said the officer refused to let her put on slippers, but took her bare-footed.



MRS. LILLIE PATTERSON

"THEY KICKED ME"

Mrs. Patterson said when they reached the bottom of the stairs, the officer shoved her and she told him she was pregnant. She quoted him as saying, "You're lying, b...h."

"With that, he slapped me, and I fell to the concrete pavement," Mrs. Patterson said. "He grabbed me by both arms and dragged me to the car, then he hit me on the back of the head with a flashlight," she said.

Mrs. Patterson said the officer sat by her in the police car then slapped her in the face. The other two officers by that time were coming with the elderly man, she said. Another officer slapped her, she declared, and when they arrived at the Sixth District station, the driver kicked her in the buttocks and said, "Go in with that."

CASE DISMISSED

Mrs. Patterson said that when her husband, Wallace Patterson came to get her out of jail, he had $75 bail posted but she was not released. She said policemen told her husband she was drunk, however, she said this was untrue. She was charged with resisting arrest and disturbing the peace. Her trial was to be in Municipal Court on Monday. The arresting officers did not appear and Judge W. Blair Lancaster dismissed the case.

Mrs. Patterson said she has been ill since the rough treatment by police. She showed documents attesting that she had been since treated in Charity Hospital. At press time, she said she feared she might lose the child she is expecting.

Mrs. Jason's allegations follow an almost similar pattern. She said she had become involved in a dispute with an agent from a furniture store who had come to her home to take her stove. She said she had paid for the stove, but had refused to pay more on a washing machine which had burned out. This was last Friday about 4 p.m., she said.

The white collector, Mrs. Jason said, left and returned with a policeman who told her to surrender the stove. She declared that when she asked the officer if he had a search warrant, he said, "Listen to that ignorant fool."

"KICKED, BEATEN"

Mrs. Jason said the officer began to pull her down the steps of her home. "I caught hold of his shirt to keep from falling; his eyeglasses fell off and he stepped on them," she said.

"He dragged me to the gutter and kicked me in the stomach," she said, "and I hit him in the face."

Mrs. Jason said her mother-in-law telephoned for police and three cars -- two from New Orleans and one from Gretna -- arrived with about 10 officers. The ambulance came also, she said.

"A tall policeman with red hair then kicked me in the back," she said "as I was getting into the police car. My 15-year-old son, Herbert rushed to help me. He was taken to jail also. He complained that policemen punched him in the stomach and back and he has been spitting blood since he was released."

Mrs. Jason has secured the services of Attorney A. P. Tureaud. Her case was set for Monday in Municipal Court before Judge W. Blair Lancaster but was continued until Nov. 21.

The La. Weekly on Tuesday called these allegations to the attention of local police officials. Late that day, Maurice Lonergan of the Police Bureau of Investigation informed the La. Weekly that the matter was being probed.

13e 1961

Ex-GI Charges Gretna Police With Brutality

The Louisiana Weekly 13e
New Orleans La

A 27-year-old un-employed truck driver and ex-air force corporal last Thursday charged police stationed at the Gretna jail with brutality.

Earl Pierre, 2818 Washington, told the Weekly last week, that he was the victim of vicious beatings between December 23 and December 28, 1960, while being held at the Gretna jail.

According to Pierre, he was returning home from a bar in Bridge City, Friday, December 23, when he was picked up for attempted armed-robbery.

During his five day stay in the Gretna jail, Pierre asserted that the police allegedly attempted to make him confess to a crime he did not commit.

Pierre said he was the victim of one of the most vicious beatings man has ever inflicted upon man. He was allegedly beaten, kicked in the left eye and the victim of a new torture device, made of wood in a scissor-like shape, to cause extreme pain when applied to his neck.

After being inflicted with severe punishment, Pierre said, he was released on Wednesday, December 28, when his sister, Mrs. Anna Johnson, 8817 Birch Street, posted a $2,000 bond.

Pierre said he secured Atty. Earl Amedee to serve as legal counselor in his behalf.



13e La
The Louisiana Weekly

VICTIM OF POLICE BRUTALITY? -- Thomas Johnson, a Korean veteran this week charged he was the victim of police brutality in a routine line up arrest on LaSalle Street last Thursday afternoon. Pictured above is Johnson with his mother, Mrs. W. E. Johnson, comforting him at home after he was released and patched up. A check with police headquarters revealed no report of the arrest and alleged one hour beating at the Sixth precinct. Eight other persons were allegedly arrested in the wholesale roundup.

Negroes Charge Mississippi Police With Death, Beating

Montgomery Advertiser 6
Hurs 12-14-61

JACKSON, Miss. (AP) — The Mississippi Civil Rights Advisory Committee heard charges Wednesday of widespread police brutality against Negroes.

The accusations involved sheriff's officers in Hinds and adjoining counties and the Jackson City police.

Montgomery Ala

Two witnesses testified Madison County officers shot a handcuffed Negro to death and two others testified Madison County had won a death sentence for a Negro accused of raping a white woman, without calling Negro witnesses to testify in the man's behalf.

FORWARD INFORMATION

Other witnesses testified Jackson police had beaten three Negro high school students, that Hinds County officers had beaten a Tougaloo Southern Christian College student faslely charged in a traffic case, and that a Negro school principal had been fired for registering as a voter.

The committee, headed by the Rev. Murray Cox of Gulfport, said it would forward the information to federal civil rights officials in Washington.

In Canton, Sheriff William Noble said the committee "didn't invite us to testify. The shooting went before the federal grand jury and it declined to indict. It's all been discussed and investigated."

In Jackson, City Detective Chief M. P. Pierce said he had received no complaint of brutality against the three Jackson youths, but would have to check records before commenting further. Sheriff J. R. Gilfoy said he had received no complaint about the Tougaloo case and knew nothing about it.

Callie Johnson of Sharon of Madison County told the committee her husband was arrested by Madison County officers in April last year after their home was searched for liquor.

She said her husband was taken handcuffed into the front yard and she heard a shot after some loud talking. Later she said she was told he had been shot to death resisting arrest.

Clarence McCullough, a Negro merchant from Madison County, testified he had arrived at the Johnson home as Johnson was being led away and saw a deputy with a pearl-handled pistol shoot him.

White lawyers in Canton, McCullough said, refused to take the case and the FBI investigated, without results.

His widow said she and others testified before a federal grand jury at Biloxi, but that it declined to indict.

In another case, the committee heard Mary Smith of Canton tell that her husband was arrested on charges of raping a white woman last year and went on trial four days after the indictment was returned. She said his lawyer, appointed by the court atfer the indictment refused to talk to her or other members of the family on grounds he was too busy.

BEATINGS TOLD

In another case, three Jackson Negro youths testified city police beat them last Halloween. The charges were made by Cornelius Johnson, 18, Charles Tobias, 17, and Robert Bass, 18, all of Jackson.

They were questioned about a burglary, they said, but had no part in it and were later charged with malicous mischief.

The Rev. L. O. McMillan Sr. of Vicksburg, a Negro Methodist minister, testified he had been dropped as a school principal in Jasper County after trying to register to vote. He said this year he was dismissed from a Greene County school post for similar reasons, but had registered without incident in Warren County since being transferred to a church that did not require an outside job.

Dr. A. D. Biettel, white president of Tougaloo (Negro) College here, testified Hinds County officers arrested one of his students on traffic charges and took him to the sheriff's office, where three deputies beat him.

Negroes Claim Police Brutality

Ten Testify Before Hearing Of State Committee On Civil Rights

By United Press International

JACKSON, Miss., Dec. 13.—Supposed cases of police brutality to Negroes, including a fatal shooting, were reported Wednesday to the Mississippi Advisory Committee on Civil Rights.

Nine Negroes and a white man went before the committee to deliver testimony which was tape recorded for an official of the United States Civil Rights Commission who attended the session.

One Negro said he saw a white law officer fatally shoot a handcuffed Negro man "apparently because he talked back to him."

College President

Dr. A. D. Biettel, white president of Tougaloo Southern Christian College for Negroes, appeared before the group on behalf of one of his students who supposedly was beaten by law officers.

Dr. Biettel said the youth was afraid to testify because he feared "economic reprisals for his family" who is employed here.

Five Negroes told of police brutality in three separate incidents in Madison County and four claimed two Jackson policemen used brutality in making arrests here last Halloween night.

Another Negro, Rev. Allen McMillan of Vicksburg, claimed he was denied the right to register to vote in Jasper and Green counties when he taught school in those counties. Rev. Mr. McMillan, who said he holds bacheolrs and mastetrs degrees and did graduate work at Northwestern University, said circuit clerks in the two counties claimed he failed literacy tests on voter applications.

Fired From Job

He said he was fired from a school teaching job in Greene County earlier this year because he tried to register to vote. Rev. McMillan attempted to register in Jasper County in 1956, he said.

Rev. McMillan said that in one of the counties he was failed on the test "by a circuit clerk who didn't even finish high school."

The Rev. Murray Cox, chairman of the state civil rights body, said he believed most Mississippians "are appaled at police brutality."

"When the good people of our state know of what's going on, there will be a rising sentiment against pollee brutality," the Rev. Mr. Cox said.

Jackson attorney William Higgs, who is active in local civil rights activities, presided when testimony was given.

POLICE CRUELTY CHARGED IN MISS.

Hinds, Madison County Officers Accused

JACKSON, Miss. (AP) — The Mississippi civil rights advisory committee heard charges Wednesday of widespread police brutality aginst Negroes.

The accusations involved sheriff's officers in Hinds and adjoining Madison counties, and the Jackson city police.

Two witnesses testified Madison county officers shot a handcuffed Negro to death and two others testified Madison county had won a death sentence for a Negro accused of raping a white woman, without calling Negro witnesses to testify in the man's behalf.

Other witnesses testified Jackson police had beaten a Tougaloo Southern Christian college student falsely charged in a traffic case, and that a Negro school principal had been fired for registering as a voter.

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Callie Johnson of Sharon, a Madison county community, told the committee her husband was arrested by Madison county officers in April last year after their home was seached for liquor.

She said her husband was taken handcuffed into the front yard and she heard a shot after some loud talking. Later she said she was told he had been shot to death resisting arrest.

"TALKED BACK"

Clarence McCullough, a Negro merchant from Madison county, testified he had arrived at the Johnson home as Johnson was being led away and saw a deputy with a pearl-handled pistol shoot him.

"He just said something back to them and they shot him."

White lawyers in Canton, McCullough said, refused to take the case and the FBI investigated, without results.

His widow said she and others testified before a federal grand jury at Biloxi, but that it declined to indict.

Asked if he were afraid of reprisal, McCullough said, "I had a friend beaten to death at home. I always carry a gun to the door when somebody comes and turns the porch light on. If they find my body, I won't be alone."

He said he knew "brutality is a common practice in Madison county."

In another case, the committee heard Mary Smith of Canton tell that her husband was arrested on charges of raping a white woman last year and went on trial four days after the indictment was returned. She said his lawyer, appointed by the court after the indictment, refused to talk to her or other members of the family on grounds he was too busy.

She said he was not wearing the clothes introduced as evidence, and other members of the family had been with him, but none was called as a witness. She also said he was severely beaten when arrested.

At one stage, she said, Smith fell "and I heard the sheriff tell my father he was just intoxicated. He had a big cut on the side of his head."

COULDN'T WRITE

She said he was also supposed to have signed a confession, but that he couldn't write.

In another case, three Jackson Negro youths testified city police beat them Halloween. The charges were made by Cornelius Johnson, 18, Charles Tobias, 17, and Robert Bass, 18, all of Jackson.

They were questioned about a burglary, they said, but had no part in it and were later charged with malicious mischief.

The Rev. L. O. McMillan Sr., of Vicksburg, a Negro Methodist minister, testified he had been dropped as a school principal in Jasper county after trying to register to vote. He said this year ha was dismissed from a Greene county school post for similar reasons, but had registered without incident in Warren county since being transferred to a church that did not require an outside job.

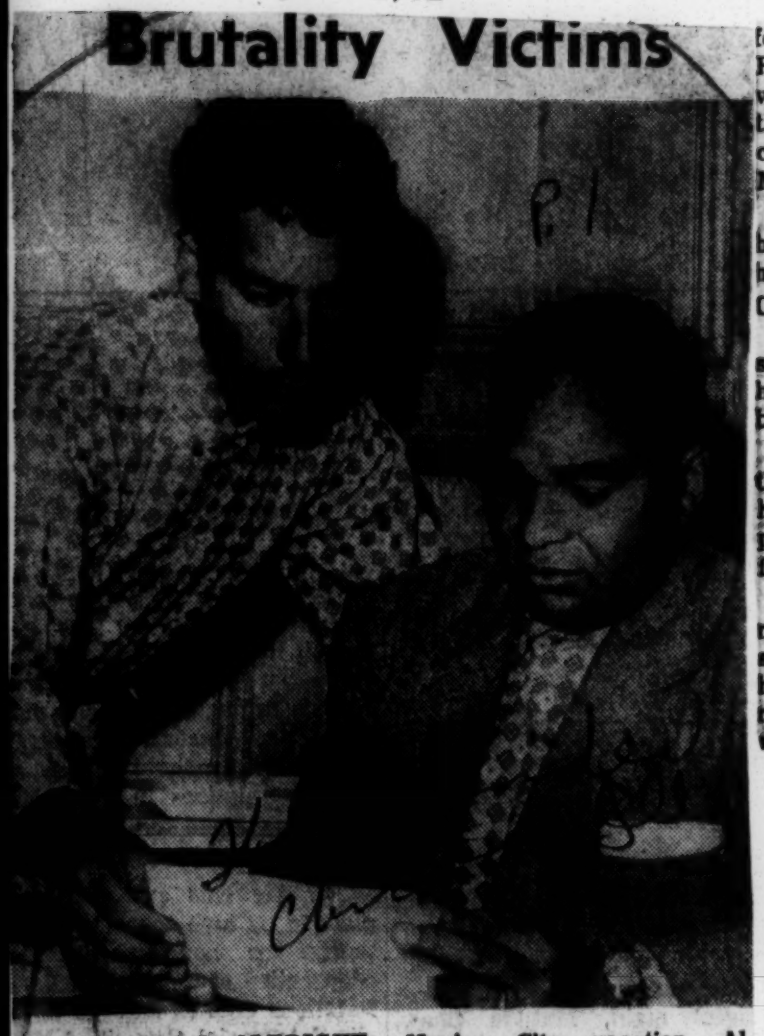
Dr. A. D. Biettel white president of Tougaloo (Negro) college here, testified Hinds county officers arrested one of his students on traffic charges and took him to the sheriff's office, where three deputies beat him.

Dr. Biettel said officers have been parking regularly near the college entrance north of Jackson and have arrested several persons.

"I feel that violations of traffic regulations had nothing to do with their arrests," he said.

Tougaloo was used to house "freedom riders" when they returned for their arraignments in court this fall.

Brutality Victims



ROBERT L. ALBRIGHT (right) and Carlos Rivera, his traveling companion, were abused and called vile names by McComb, Miss., police during return trip on bus from Mexico City vacation, Albright charges. Pair plans suit against bus company and McComb police. In photo they look over copy of telegram to McComb chief of police protesting incident.

Says Miss. Cops Beat Him On Bus

BY KENNETH O. FIELD

A dining car waiter told the Daily Defender ...nday he would bring suit against a major bus line and McComb, Miss., police whom he alleges insulted and kicked him after halting the bus in the Mississippi town.

Robert L. Albright, 36, 127 E. 60th st., said his troubles began hours after he boarded a bus in New Orleans, Feb. 17, headed for Chicago. He was returning from a vacation in Mexico City.

According to Albright, a Milwaukee railroad employee for 17 years, he and a Puerto Rican friend, Carlos Rivera, were asleep in their seat on the upper level of the scenicruiser as it sped across the Mississippi countryside.

The next thing he knew, Albright said, someone kicked him on the leg, arousing him.

COLORED OR WHITE?

Albright, who is light skinned, said one officer asked him if he was colored or white. Albright told him he was colored.

"Well, get back there with the rest of the niggers, then," he said the other officers replied, "I want to see the difference between you."

Albright said he informed the men that he had purchased the seat he was occupying in the half-filled bus and he saw no reason for giving it up. He said he also told the officers he was colored, not a "nigger."

Albright said the officers became incensed when he informed them he lived in Chicago when they sought his address.

He said one officer collared him, yanked him from the seat, and stomped on his toes, injuring his foot.

One of the officers, he asserted, made a motion like he was going for his gun, so he obeyed their command.

The officers gave the seats Albright and Rivera vacated to a white couple who had just entered the bus. They also told Albright that the only reason they stopped the bus was to "look for someone."

After the bus left McComb, Albright said he talked with the bus driver who stopped and discussed the situation with him. He said the bus driver, also white, was courteous and apologetic over the incident. He told Albright "I couldn't do nothing about it. I had to bow to local customs."

He said the bus driver also told him that he had witnessed incidents such as this in the past, but there's "nothing I can do about it," and "I don't think the bus company should be blamed."

As the bus proceeded, Albright said, passengers were at first silent, then rallied to his defense saying the officer had no reason to mistreat him.

The white couple to whom he was forced to give up his seat said they were only traveling a short distance and urged that he and Rivera take their seats back.

A bus line spokesman here told the Defender they had received Albright's complaint and they had asked their Atlanta office, which is in charge of the company's southern operations, to investigate.

"We are more or less powerless to do anything about such occurrences," the spokesman said, "but we certainly do not condone it. We have many, many Negro passengers and want to keep their business."

He said that his company had complained about such treatment of Negroes in the past to Public Utilities commissions of the states involved and to the Interstate Commerce commission.

"We do not want any unwarranted interference with our passengers," he added.

Albright sent a telegram to the chief of the McComb police department protesting his treatment but has received no reply.



ATTY. ROBERT WILLIAMS

NAACP Slates Protest Meeting

Jackson Gathering Sunday Will Decry Actions Of City Police

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., April 7.—A second meeting protesting alleged "inhumane treatment of Negroes by Jackson police and private white citizens" will be held Sunday by the Mississippi branch of the National Association for the Advancement of Colored People.

Medgar W. Evers, field secretary of the organization, said the public "is invited to join in this mass protest." The meeting will be held at the Farish Street Baptist Church at 3 Sunday afternoon.

Campaign Launched

The first meeting was held two weeks ago and was addressed by a white attorney from South Carolina. It coincided with launching of the organization's membership campaign.

The NAACP has protested the use of German police dogs by Jackson police in dispersing a group of Negroes who stood across the street from the municipal courtroom several weeks ago during the trial of nine Negro students who had staged a "read-in" at the white city library.

Police said no one was injured by the dogs, which were kept on leashes. They had been borrowed from Vicksburg police and were handled by officers of that city who are regularly assigned to the two police dogs.

Dogs Halt Crime

Vicksburg has used the dogs since last November in tracking down prowlers and burglars. Police Chief Murry Sills said since the dogs have been on the force, those crimes have dropped 90 per cent.

During the Jackson incident, a Negro freelance photographer was struck down by a Rankin County white man with a pistol. The white man was arrested and forfeited a bond on charges of assault and battery.

13e 1961

MISSOURI

Police Officer Fired On Boys' Brutality Charge

Fri 7-7-61

One police officer was dismissed and disciplinary action was taken against two others last week following an investigation of charges of abuse brought by three Negro teenage boys.

The boys, all of whom work as refreshment vendors at the Municipal stadium, charged that they were harassed, threatened and otherwise intimidated in an incident which occurred after they got off from work last Friday night.

One of the youths said that an officer stomped his foot and kicked him on the leg during the incident, The boy had recently undergone surgery on the leg.

Following an intensive week-long investigation by the inspection division of the police department, the officers finally admitted the truth of the charges yesterday and Acting Police Chief E. I. Hockaday moved promptly to dismiss one and discipline the other two.

All were probationary officers assigned to the traffic unit. Officers are considered probationary until they have completed a year with the department.

Minister In Case

Dismissed from the force was Patrolman Gilbert Anderson, who was accused in the kicking and stomping phase of the incident. The other officers, Patrolman John Groves and John Henderson, were deprived of twelve days leave, without pay, and their probationary period was extended for six months and two days, to run now until December 31.

Charges against the officers were brought by James Ray, 16, son of Mr. and Mrs. Robert C. Conley, 3514 E. 25th St., Frederick Tyrone Lowe, also 16, son of Mr. and Mrs. R. G. Paxton, 2527 Bales St., and Alvin Smith, 18, 2606 Bales. Three civilian witnesses, including the Rev. Braxton J. Boyd, pastor of the Bowers Memorial CME church, gave statements at police headquarters in connection with the incident.

The boys' story, as related to Sgt. Leo Hoedl of the inspection division, was this:

After getting off from work at about 11:30, they were standing outside Gate 1 waiting for a friend, Donald Cox, 2500 Bales St., to pick them up in his automobile and drive them home.

Three motorcycle officers approached them, questioned them and patted them down for weapons. Then they ordered the boys to "start running home."

The boys started walking south on the east side of Brooklyn. Donald, meanwhile had arrived on the scene, but without his car. Noting the officers searching his friends, he remained across the street and did not join them, but continued walking on the west side.

As the trio neared 24th St., the officers, on their motorcycles wheeled up behind them and one of the patrolmen shouted, "What did I say, didn't I tell you to run?"

Fri 7-7-61

Alvin continued walking south on Brooklyn and Frederick and James started across to the west side of Brooklyn to a barbecue stand. As the two boys entered the parking lot, they again were stopped by the policemen.

"I told you to run. In that case, let's go down into the alley," one of the patrolmen commanded the boys.

Kansas City, Mo

Calls For Help

The officers herded the three boys across the parking lot and into the alley. As they passed the rear of 2417 Brooklyn, one of the boys saw a man standing in his yard and called to him for help.

"Mister ... you help us? These officers are taking us up in this alley for nothing," the boy cried.

The man made no move to assist them and the officers continued herding the youths deeper into the alley.

(The man in the yard, later identified as Herbert Paige, who lives at 2417 Brooklyn, said he heard the youth call something, but he apparently misunderstood. Paige said he thought the boy asked if it was not all right for him to go into the barbecue stand. He said he told the boy it was a public place and he should be allowed to go.)

(Paige, also questioned by Sgt. Hoedl, said that as the group passed his yard, his dog began barking and he heard one of the officers say, "Why don't you shoot him?")

(After the group passed from sight into the darkness of the alley, Paige said he heard what sounded "like a lick" and then heard someone yell. Paige went to the barbecue stand to telephone a radio station to report the incident, but for some reason, never completed his mission. John Harris, 2415 Brooklyn, owner of the barbecue, also had seen the youths enter the alley.)

Meanwhile, the boys, prodded by the officers, had reached about midway the alley, where the real abuse began.

One officer, later identified, as Anderson, accosted each youth in turn and demanded, "Didn't I tell you to run?"

Stomps Boys' Foot

When James, who recently underwent an operation on his right leg, explained that his feet were too tired from walking around the stadium to run, the officer stomped his foot and taunted the youth, "Well, does it feel better now?"

Anderson seized the boy by the shoulder, wheeled him around and kicked him, the blow landing on the right leg. "You see that, you'll get the same thing," the officer told the other two boys. "Now get going."

As the boys passed him, Anderson kicked at Frederick, but missed him.

Frederick and Alvin ran south through the alley to 24th Terr. and turned east. As they ran, they heard the motorcyclists behind them. Twice the officers pulled up beside them and told them to run faster. As they reached Prospect, the officers pulled off and went south. Frederick and Alvin then made their way to their separate homes.

Meanwhile, James, limping on his injured leg, had made his way through the alleys to 25th and Brooklyn.

There he was stopped by the Rev. Boyd and a nearby resident, Archie Bond, 2454 Park Ave., who noticed the youth crying. The two men took the boy in Rev. Boyd's car to police headquarters, where they immediately reported the incident.

Rev. Boyd accompanied the boys and their parents when they returned to police headquarters later Saturday to make a formal complaint.

The boys' story touched off a searching probe within the police department. The youths in their apprehension, had failed to note either the name or the badge number of any of the three officers.

By checking out the officers who were on duty at the Municipal stadium last Friday the inspection department narrowed the suspects down to the three involved.

Questioned Tuesday, at first all three denied any involvement. However, confronted with the statements taken from the three impartial witnesses, which supported the boys' claim that the abuse had occurred, Anderson later admitted his part, that he had stomped and kicked James. The other two officers then admitted they had not told the truth in order to protect Anderson.



Mr. Call
P.
Fri-7-7-61
Kansas City

VICTIMS OF HARASSMENT, BRUTALITY.—Frederick Tyrone Lowe, 16, 2527 Bales, and James Ray, also 16 (right), are two youths whose complaints of harassment and brutality by police officers were acknowledged last week by the dismissal of one patrolman and the levying of disciplinary action against two others. (See story this page).

13e 1961

Police brutality blamed for riot

p. 20

NEWARK

"Police brutality against colored citizens is the reason 600 students of West Kinney High, in Newark, demonstrated and stoned the police station last Wednesday, when one of their members was being arrested," declared Mrs. Ruth F. Shiminsky.

"I am in favor of the formation of neighborhood committees to be empowered by the city government to send representation into police stations at any time, to interview prisoners, bring in physicians to make examinations, and to go before grand juries to seek indictments against any police implicated in false arrest or brutal or discriminatory treatment," she declared.

Mrs. Shiminsky is gubernatorial candidate for the Socialist Workers Party.

13e 1961 NEW YORK SEPTEMBER

MICHEL COLLET, DIPLOMAT, THE REPUBLIC OF GUINEA

The "Assaulted" Man Who's No Longer Here

Guinea's sudden move to spirit United Nations delegate Michel Collet out of the country might be taken as a tacit admission that the Guinean Ambassador had told less than the truth about Mr. Collet's scuffle with police. But enough damage has been done for the case still to leave a sour taste in the mouth, and to call for a more forthright apology.

A foreign diplomat who rams a taxi, slugs the driver and then brawls with police is fully entitled to diplomatic immunity, as a legal matter, but not to sympathy. Such immunity is a necessary tradition of long standing, without which the conduct of diplomatic affairs would be subject to unconscionable hazards. But it places certain moral and practical obligations on those entitled to claim it—including a readiness on the part of each nation to discipline its own envoys when they commit gross breaches of the peace.

Guinea's U. N. Ambassador Telli Diallo compounded Mr. Collet's offense with unwarranted attacks on the United States and on the New York police. His charge that the incident "manifestly had aspects of racial discrimination" and was akin to a lynching (merely because the three men Mr. Collet fought happened to be white) itself quite manifestly had aspects of scurrilous mischief-making.

• • •

If the police had knowingly and without provocation—as Ambassador Diallo charged—beaten up an African or any other U. N. delegate, it would have been one of the most thundering cases of police misbehavior in New York's history.

• • •

A police investigation, upheld by both Mayor Wagner and Ambassador Stevenson, absolved the policemen involved of any misbehavior. When Mr. Collet finally identified himself, at the station house, he was immediately granted immunity and released. Yet the Afro-Asians, assembled in special conclave, listened to Mr. Diallo's patent absurdities and unblinkingly condemned the "brutal assault" on Mr. Collet, calling it the "latest in a series of incidents involving humiliation, indignity and racial discrimination against Afro-Asian diplomats which have been occurring in recent months."

• • •

Mr. Collet's case is hardly one for talk about dignity, except perhaps for a lecture on what it consists of. As for discrimination, the witnesses to the affray—all Negroes—unanimously sided with the police.

If the Afro-Asians would lay their own prejudices aside long enough to look at the facts, they themselves might be first to condemn Mr. Diallo not only for abuse of diplomatic immunity, but for involving their collective dignities in a cheap and unworthy cause.

Diplomat Who Fought Policeman Is Recalled

By Milton Lewis

The Republic of Guinea's No. 2 man at the United Nations has been called home by his government.

Michel Collet, the diplomat who figured in a fight with police after his car was in a minor accident in Harlem recently, departed for home Tuesday night via Air France.

His quiet leave-taking was kept top secret by the Guinea mission. This despite the promise of the Republic's Chief U. N. delegate, Diallo Telli, that reporters would be permitted to interview Mr. Collet as soon as he recovered from his "wounds."

The thirty-eight-year-old Mr. Collet left with such dispatch that the United States mission to the U. N. did not even know about it when queried by a reporter yesterday.

The Harlem incident, blown up into an international cause celebre by the African country and leaped upon with avidity by the Soviet bloc, maay still be an isssue when the U. N. General Assembly convenes on Sept. 19.

The United States government exerted no pressure of any kind and did not demand the recall of Mr. Collet, regarded by veteran U. N. observers as a "hot-tempered" individual. However, it was tacitly understood that the U. S. mission to the U. N. was not especially unhappy about the sudden flight. Mr. Collet has a working knowledge of English, though he is much more at ease in his native French.

No Apologies Offered

Neither the State Department nor Adlai E. Stevenson, Ambassador to the U. N., apologized for the incident, though both expressed "regrets" that it had occurred. Mayor Wagner took a similar tack in backing the Police Department in its confidential report that Mr. Collet was the aggressor and was "pugnacious and profane."



Michel Collet

On that score, the Police Department took statements from fifteen witnesses to the fight. Only three of them were white—a patrolman, a detective and the taxi driver whose cab Mr. Collet allegedly crashed into at 12:40 a. m., Aug. 26, at Eighth Ave. and 123d St. The other twelve were Negroes, as is Mr. Collet, and reportedly sided with the three white principals.

On Aug. 28, when Police Commissioner Michael J. Murphy handed over his department's findings to Mayor Wagner, Ambassador Diallo charged that his aid was the latest victim among Negro diplomats — of racial discrimination and police brutality.

Diplomatic Plates Issue

The Ambassador also charged that the diplomatic plates on Mr. Collet's vehicle were ignored. But Commissioner Murphy, in clearing the police and putting all the blame on Mr. Collet, maintained that it was not until the Guinean was taken into a station house that he identified himself as a diplomat, at which point he was released.

One police inspector made this observation:

"Even if the police had noticed the DPL plates at the scene, how would they know that the driver of the vehicle might not be a chauffeur as distinct from a diplomat—unless he si identified himself? DPL plates themselves don't grant automatic immunity."

According to the police version, Mr. Collet first abused the cabbie and the nthe patrolman. Then, when a detective came along in his own car and Mr. Collet was put in it for the drive to the precinct. He tried to take the wheel and step on the accelerator. Mr. Collet, through Ambassador Diallo, vigorously denied this, insisting the police roughed him up without provocation in what approached a "lynching."

Police Report Not Public

Copies of the fifteen-page police report on the fracas have never been made public. However, one went to Ambassador Stevenson. It is known that Ambassador Diallo subsequently got a copy from Mr. Stevenson.

U. N. observers had some reason to believe that after studying the report—after having sounded off at length—Ambassador Diallo might have felt it would be advisable for Mr. Collet to check out. The Guinean Ambassador is aware that twelve Negroes sided with the police and the cabbie.

The incident caused much hard feeling. On Sept. 1 members of the twenty-six nation Afro-Asian group in the U. N. called on Secretary General Dag Hammarskjold to see that "self-respect, dignity and freedom from racial discrimination" are accorded to U. N. diplomats here. Russia has been plumping, because of alleged incidents, to get the U. N. out of New York.

Last week the Liberian mission to the U. N. said it had "no information" on reports published then concerning Mr. Collet. These were that he had created "some sort of crisis" in Liberia about three years ago while serving as Guinea's Ambassador there and was recalled to Guinea at the request of Liberia's President.

13e 1961 NEW YORK AFRICAN DIPLOMAT BEATEN

AFRICAN DIPLOMAT IN POLICE DISPUTE

The New York Times
p. 1 Sec 1 27 Col 7

Fight After Auto Mishap in Harlem Leads Stevenson to Call for an Inquiry

By ROBERT CONLEY

An African diplomat and a policeman were involved in a fight in Harlem early yesterday that quickly developed into an involved diplomatic tangle.

Adlai E. Stevenson, the chief United States delegate to the United Nations, called for a "thorough investigation of the circumstances of this regrettable incident."

Michel Collet, deputy permanent representative to the United Nations from the young African republic of Guinea, was at the center of the controversy.

The police said M. Collet had attacked Patrolman James O'Grady after the diplomat's car bumped into the back of a taxi.

Responsible reports at the United Nations, however, said that the 36-year-old diplomat had been badly beaten.

The fight broke out about 12:40 A. M. on Eighth Avenue, near West 123d Street.

According to the police, the diplomat also pushed and punched the taxi driver, Kenneth L. Morris of 152 East 100th Street.

The police said further that it took the aid of Detective Richard Dillon to subdue the diplomat and take him to the precinct.

Police Begin Inquiry

No formal charges have been made because M. Collet is protected by diplomatic immunity.

Mr. Stevenson, informed of the incident by telephone by the head of the Guinean delegation, Ambassador Telli Diallo, expressed his "profound concern and regret."

He sent Deputy United States Delegate Charles W. Yost to the Guinean Mission at 17 East Seventy-third Street to call on the diplomat.

Deputy Police Commissioner Walter Arm, said late in the day that the department's facts "tend to support the policeman" but the police wanted further details.

The department assigned Deputy Chief Inspector Patrick Whalen, commander of the Sixth Division on the upper West Side, to the case. Last night he was questioning every one involved.

Officially the Guinean delegation declined to comment publicly. M. Collet could not be reached.

The original precinct report made no mention of injury to the diplomat, except for a cut on the forehead. M. Collet reportedly went to Harlem Hospital in the company of a detective. But the police said he refused medical aid twice and was taken to the diplomatic mission.

Sec 1 27-7

Patrolman O'Grady, said to have sprained his left thumb in the fight, was X-rayed at the hospital, put on the department's sick report and sent off duty. The 25-year-old policeman was not available at his home at 114-59 203d Street in St. Albans, Queens.

As the police reconstructed the incident, M. Collet, driving alone north on Eighth Avenue, struck the back of the taxi.

Mr. Morris, the taxi driver, got out and asked to see M. Collet's license and registration, a normal procedure in an auto accident.

At that point the diplomat, who is said to speak only a little English, allegedly shouted in French and pushed and punched the taxi driver.

Patrolman O'Grady, temporarily assigned to Harlem, reached the scene and started to question the diplomat. The police said M. Collet became "belligerent" and "pushed and puncher the officer with his fists." Detective Dillon of the Old Slip station drove past in his car, saw the argument and went to the patrolman's aid.

As a crowd gathered, the two policemen put M. Collet into the detective's car and took him to the West 123d Street station. But on the way, the police contended, the diplomat "had to be forcibly restrained from grabbing the steering wheel and pushing down on the accelerator."

The police said they were not aware that M. Collet was a diplomat until he identified himself at the stationhouse as Guinea's Deputy Permanent Representative and produced a United Nations identification card.

His car, however, bore diplomatic registration plates, DPL-153.

Cleveland Police Resent Charge Of Brutality

CLEVELAND, Ohio, — (UPI) — Cleveland Police Chief Frank Story reacted angrily to a federal Civil Rights Commission report listing Cleveland among cities that displayed police brutality toward Negroes.

The Commission report, Story said, apparently included Cleveland because of the 1958 fatal shooting of Jeffrey Perkins. Perkins, a Negro, was shot by motorcycle Patrolman Bobby Dunn, who was later cleared by a county grand jury and by a federal grand jury which investigated a possible violation of Perkins' civil rights.

"If they (the Commission) were Communist-inspired," Story said, "they couldn't do a better job of destroying respect for constituted law and order.

"I don't know what they expect of society," he added. "It responded with grand jury presentments, and Dunn was cleared. Isn't that enough?"

Dunn said he shot Perkins because it appeared he was reaching for a weapon in the glove compartment of his car. The officer had stopped Perkins for a traffic violation.

COLUMBIA, S. C. — (UPI) — Gov. Ernest F. Hollings said an investigation has shown charges of police brutality in Marlboro county to be unfounded, adding the allegations were "another attempt by inflamatory groups to arouse national sentiment."

A Marlboro county Negro youth last month claimed he was beaten unconscious when he was arrested by two Bennettsville policemen. He made the charges in written form to the South Carolina Civil Rights Advisory committee.

The governor said "there was no evidence of a severe injury that might have been made by a heavy object," and said the attending physician denied the youth was hurt.

"I am confident this is only another attempt on the part of inflamatory groups to provoke and arouse national sentiment," Hollings said. "South Carolina is dedicated to the preservation of Justice and law and order," he added.

PRISONERS RIOT IN PHILADELPHIA

Times Picayune New Orleans, La.

Convicts Stopped with Shotguns, Tear Gas

PHILADELPHIA (UPI) — A seemingly innocent request by a convict for his guitar triggered an attempted prison break in which 10 criminals, two of them awaiting the electric chair, gained control of the nerve center of the Eastern State penitentiary Sunday night.

The convicts, 10 of them convicted murderers, operated like commandos, using zip guns, makeshift knives and meat cleavers to overpower guards and hold 10 hostages they threatened to use as "human shields."

State police commissioner Frank G. McCartney gave this account of how the riot started:

Guard Donald Carr, 40, was leading John Klauzenberg back from the mess hall when the convict asked if he could get his guitar from the cell of Harry Shank. Carr opened the cell and was overpowered immediately and stabbed in the shoulder by Klauzenberg and Shank.

KEYS TAKEN

The two convicts took Carr's keys, released another inmate and walked along the cell block —one of seven that leads into a central control room as spokes in a wheel—to the "hub" where they overpowered guard Lt. William Righter, 54.

The three convicts took Righter at knife point and forced him to order guards to open cells in three of the seven cellblocks where the remainder of the conspirators were released.

The rioters then commandered a truck in an attempt to rip a tall iron ladder from the side of a building to use it to scale the 40-foot wall surrounding the 131-year-old penal institution in downtown Philadelphia.

COUNTER-ATTACK

The riot was put down by 50 state troopers, with shotguns and tear gas and Philadelphia police. They staged a carefully planned counter-attack. First they cut off the prisoners' escape from the cellblocks and then moved in a solid phalanx to the hub of the trouble, hurling six tear gas bombs.

The rioters scurried in all directions and were rounded up by the troopers. The nine guards and one loyal prisoner held as hostages were rescued after more than two hours of terror in which they were threatened with death.

The two rioters facing the death penalty were Anthony "Tough Tony" Scoleri, 32, and George Lee Rivers, 20, both convicted of murder in Philadelphia holdups which netted less than $30.

Another desperado was Raymond P. Wilson, 38, of Tulsa, Okla., the first of four men sentenced to life for the grotesque robbery-slaying of an elderly Philadelphia widow.

FOURTH ATTEMPT

Others involved were:

Spencer Walden, 53, who was making his fourth escape attempt in 20 years. He accompanied William "Slick Willie" Sutton over the wall at Holmesburg prison here in 1947 but was captured three hours later.

Fred Hunter, 33, spent two months trying to tunnel his way to freedom less than two years ago but was caught in the act.

Richard J. Mayberry, 22, was one of three men who sawed his way out of the prison's Graterford branch in October, 1958, only to be caught going over the wall.

Their weapons were numerous, including two crudely fashioned hand grenades, seven "Molotov cocktails," three cleavers, 30 scissors, three zip guns and four bullets, a tire iron, an ice pick, two large forks, 12 pairs of pliers, two pocket knives, six long handled knives, four chisels, 10 screwdrivers, an iron spike, a hacksaw and various other crudely fashioned articles. They also had ropes twisted from torn mattresses and other material.

Police Brutality Charges Unfounded, Hollings Says

The Atlanta Journal and Constitution

SOUTH CAROLINA

By S. L. LATIMER JR.
The Columbia State
Special to Atlanta Journal-Constitution

COLUMBIA, S.C., Sept. 7.—The South Carolina Civil Rights Advisory Committee says most of the complaints received by it during the past year have been allegations of police brutality, usually lodged by Negroes.

Gov. E. F. Hollings, speaking a few days later to some 40 sheriffs and other law officers, replied that charges of mistreatment were entirely unfounded.

THE BIRACIAL CIVIL rights group, a state division of the national commission, has called for "better trained policemen" and for the establishment of "an examining board" in the state attorney general's office "to act as a watchdog to see that the rights of all South Carolina citizens are protected." It probably would take legislative action to carry out this recommendation; that is, if the "examining board" is to have any real authority.

The committee reviewing a year's work authorized E. R. McIver, its chairman, to write to the president of the South Carolina Bar Association, an all-white organization, suggesting the formation of a special committee "to investigate cases where discrimination is charged."

It has been thought significant that all recommendations made by the civil rights committee are directed at action on the state, rather than on the federal, level. On the other hand Chairman McIver, a white lumber dealer, said: "We (the committee) seem to be a sort of 'verboten' organization as far as state government is concerned."

THE COMMITTEE reported that while there are probably places where voting rights have been violated in the state, it has received no formal complaints on this score.

Rev. James Nelson, Negro member of the committee, commenting on a survey made by the group as to employment, said "it would appear there is little opportunity for trained Negroes in industry in South Carolina. It would seem," he continued, "that contract stipulations prohibiting discrimination in hiring and upgrading have affected very little the employment practices in this state."

In 2 South Carolina Counties

The Pittsburgh Courier p. 3

FBI Called to Probe Police Brutalities

Pittsburgh, Pa. Sat. 1-28-61

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By JOHN H. McCRAY

COLUMBIA, S. C.—That FBI agents have been asked to investigate instances of local police brutalities in two S. C. counties, and a city police department similar complaints in a third were disclosed during the January meeting of the South Carolina Advisory Commission on Civil Rights here Wednesday.

The bi-racial commission also aired complaints alleging racial discrimination at the Charleston Shipyard, voted to request information on this from the shipyard's commanding officer, and also to seek further specifics on several cases before it as preludes to final recommendations to its parent body.

Chairman E. R. McIver of Conway, said the commission had requested FBI checking into the case of Johnny Bryant of Dorchester County, a farmer.

Mr. Bryant filed a complaint several weeks ago with the commission stating that he and members of his family had been abused by local police officers during a dispute between him and a white farmer, onto whose land some hogs belonging to Mr. Bryant had wandered.

■

THE SECOND county where FBI action was recommended is Horry, and the Loris Township.

The commission's request was based on the complaint of Thomas Ray of Loris, who said Police Chief Paul Ray Jones and Officer Rob Stephens slapped and blackjacked him when he sought to inquire into reasons for the arrest of his young sister and his nine-year-old niece on alleged shoplifting charges.

The commission said it was asking the parent U. S. Commission on Civil Rights to advise it of the FBI findings, pending disposing of these two cases.

■

THE THIRD police abuse case was filed by Reuben Brown of Greenville. Mr. Brown states that he and his son, Charles Irby, were brutally beaten by Greenville police officers. Chairman McIver dislosed that the commission had already filed a request for investigation of the Brown-Irby case and had received a reply letter from Greenville's Civil Service Commission. However, he said, a second request was being filed immediately because the letter of reply did not say anything would be done about the case, or was planned.

The commission also looked into charges of racial discrimination at the Charleston Shipyard and voted to hold its next meeting in that city, if not again in Columbia, with this issue being foremost on its list of matters.

■

IT STUDIED a complaint filed by Mrs. Lillian Lum-Magwood, a Charleston County teacher, who said she had been unable to get work at the facility the last eight years, despite her holding a very high Civil Service rating as a tabulating clerk and punch card machine operator.

She turned to school teaching, she said.

A second complaint, filed by Hayes Miller, also of Charleston, declares that he had been given the run-around for months while trying to get work at the shipyard as a painter. He, too, said he holds a high rating under Civil Service.

Mr. Miller's complaint states that white painters applying for work at the same shipyard don't appear to have difficulty getting steady employment.

Brutality Charge Levelled Against Sumter Police

Atlanta Daily World Atlanta, Ga.

Charges of brutality have been leveled against the Sumter, S. C., police department by James McCain, coordinating organizer for student sit-in demonstrators in that area.

McCain charges that Mae Frances Moultrie of Atlanta was admitted to a Sumter, S. C., hospital "crumpled on a stretcher" and in shock, after being knocked down by police.

Tuesday a group of college students attempted an anti-segregation demonstration on downtown Sumter.

Sumter police have denied knowledge of the injuries received by Miss Moultrie.

Youth Sues S. C. Police For Beating

The Pittsburgh Courier Pittsburgh, Pa. 4-8-61

GREENVILLE, S.C.—Because five State Highway patrolmen beat and assaulted him after he told them he'd inadvertently left his driver's license at home, a Greenville youth has filed a damage and civil rights suit in U.S. District Court.

The suit is brought by Troy Rosemond, acting as guardian for Willie Lee Smith, and is against the Employers Mutual Casualty Co. of Des Moines, Iowa, the bonding company of the patrolmen, who are listed simply as "Pitts, Yonce, Biggers, Spell and Mabrey."

Attorney for the plaintiff is John Bolt Culbertson, who asks for $10,000 in damages.

Negro Is Fined In Police Fracas

Man Claims He Was Beaten By Officers—Defense Is Overruled

A Negro man who said police beat him for no reason was fined $26 in City Court yesterday for interfering with a police officer.

Charges of resisting arrest and disorderly conduct against Everett F. Johnson, 37, of 1723 State were dismissed by Judge Beverly Boushe.

The fine was announced after defense attorney Russell B. Sugarmon Jr. said: "I believe Johnson was beaten because he was a Negro who had the nerve to question a policeman's actions. Police must be educated that Negroes have rights, too."

Arrested April 9

Johnson had testified he was beaten and arrested Sunday, April 9, after he asked police to allow a Negro woman they were arresting to put her shoes on.

Judge Boushe answered attorney Sugarmon's statement by saying "The question before us is whether law will prevail or will we have an anarchy. Citizens should also be educated to obey an officer when he says 'You're under arrest!' "

Five defense witnesses testified Johnson was beaten unconscious by several policemen on the steps of the Moody Chapel CME Church on Cooper at Wabash.

However, Patrolmen P. R. Scruggs, D. B. Watkins and H. W. Lawson and Lt. J. P. Marbry said Johnson was not beaten, only thrown to the church steps and handcuffed.

Patrolman Lawson said the fracas started after they arrested Jimmy Moore and his wife at 2057 Wabash and Johnson "told us we couldn't arrest him" after he refused their order to "move on."

Moore was fined $51 for possession of untaxed liquor and held to the state on a not guilty plea. His wife, Aquila Moore, was fined $51 for interfering with an officer.

Mr. Sugarmon said after court that he would file complaints on the case with the FBI and Commissioner Claude Armour. Although he said the complaints would be issued the same day, spokesmen for both offices said no complaint had been received by late yesterday.

About 100 members of the Negro church attended the court session.

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NOVEMBER

Texas



TEXAS PRISONER BEATEN—A jail prisoner is shown doubled up in pain after being hit a hard blow in the stomach by the officer with a cigar in his mouth. A San Antonio Express and News photographer spotted officers beating the prisoner and climbed on a table to shoot this picture as a city detective shook him to prevent him from snapping it. The photographer was yanked from the table and thrown out of jail. He later got back in on orders of Chief of Police George Bichsel of San Antonio. The prisoner was one of about 40 who rioted in the Bexar County jail Tuesday night.

Police Brutality Rises in Southwest, Dallas NAACP Says

DALLAS—There appears to be an increase in police brutality against Negroes in the Southwest Region, this view was expressed here by Clarence A. Laws, NAACP field secretary.

In a statement released from the Southwest Regional office of the NAACP here, Laws said:

• "Through complaints received by this office and in newspaper articles, there is clear evidence that police brutality against Negroes in this area is on the increase. There is also evidence that Negroes are being arrested and held on the flimsiest charges."

Declaring that the NAACP has always taken the position that "wrong doers, regardless to race or color, should be made to pay the full penalty of the law for any wrong doing," he added:

• "However, we have strongly opposed in the past and will continue to oppose in the future, the cruel and misuse of authority by those whose business is to defend and uphold the law."

"There is no more frustrating and crueler form of tyranny than that imposed by irresponsible agents of the law."

■

LAWS SAID that the increased antagonism shown Negroes by certain police officers probably stems from the resentment of these officers of court victories by Negroes concerning their constitutional rights, especially in the area of education."

• The NAACP spokesman said that anyone having sufficient evidence of police brutality should bring this evidence to the attention of local, state and Federal authorities. The NACP will investigate any formal complaint reported to it.

Laws said, the NAACP was also concerned with reported unlawful denials to Negroes of valueable property by white persons.

"The injustices and denials which continue to beset Negroes will not be stopped by ignoring them. In these as in other forms of inequalities, they must be exposed and opposed relentlessly," Laws concluded.

Man, Wife Who Charged Police Brutality Fined; Case Appealed

HOUSTON — Despite the fact that four witnesses said they saw a group of police officers brutally beat Sam Peavy, 27, at his 4310 Heite St home last March 19, and he appeared in Court with three teeth knocked out, Mr Peavy was found guilty of aggravated assault on a police officer, and he, along with his wife, Mrs Faye Peavy, 24, were fined $250 and $150, respectively in Judge George Miller's Criminal Court-at-Law No 1 Wednesday night.

Peavy contended that an officer stopped him at Crosstimber and Heite Streets and gave him a ticket for a defective muffler. He said he then drove off with his three children in his car.

He said the officer whirled behind him as he drove into his driveway, and after telling him he was a smart "n . . . r," and he was going to take him to jail, struck him with a billy stick when he asked why he was being taken to jail.

The officer said he only told Peavy he was going to give him a ticket for speding and spinning gravel on the officer's patrol car. Mr Peavy said if the wheels seemed to be spinning it was because the gravel was loose. He insisted that he was driving at a regulated speed when he had the encounter with the law in his own driveway.

Mr Peavy said the initial arresting officer radioed for help before hitting him, and he grabbed him to ward off additional licks, but when assistance arrived they started pummeling him and continued to rough him up after he was handcuffed.

Mr Peavy and the witnesses said Mr Peavy never struck either of the officers.

One of the witnesses said when Mrs Peavy came to inquire as to why her husband was being beaten she was ordered back in the house, and saw him hit while blood flowed from his head.

The wife, the witness said, was kneed and handcuffed, and when she asked a neighbor to button up her blouse, an officer stopped him and ordered him inside. The witness said the officer smelled of alcholic beverages. She said she begged the officers not to shoot the man.

The witness was one of four who referred to the officers as cops, and an Asst DA tried to

infer that it was an indication that she did not like police officers. She responded that she had no reason to dislike officers.

The Asst DA continued, throughout his questioning to argue that the witnesses did not like officers and because of their being neighbors did not want to see Mr Peavy in trouble. All of them said they did not want to see anybody in trouble, had no cause to dislike officers and were attracted to the scene when they heard sirens, and thought it was an ambulance.

Mr Peavy said when she called Mr Peavy's brother and informed him of the incident he rushed to the scene and when he told officers he would take care of the children if his brother and his wife had to go to jail.

The officers allegedly told him to move on, for there were "enough nosey neighbors" to take care of the children.

One of the witnesses, when asked if she tried to get in touch with the Police Dept, said she did not call police, but did try to contact Mayor Cutrer.

In his argument for Mr and Mrs Peavy, Atty Weldon Berry painted a sadistic picture of how police had brutalized a man and his wife. He said they even violated womanhood when they kneed Mrs Peavy, who had told them she was pregnant.

He cited the fact that Mr. Peavy had never been involved in any type of trouble before.

The jury of three white men and three white women were in the jury room more than two hours before they reached a verdict.

A motion for a new trail was immedately filed and the trial set for Monday, Nov 27, at which time Mr Peavy will also be tried for a similar charge involving another of the officers who allegedly beat him.

CUTRER PROMISED ROBE

the Peavy incident was called to the attention of City Council by Atty Benjamin James, March 22.

Several police officers, including Chief Carl Shuptrine, were placed on the witness stand. When Atty James asked Chief Shuptrine if he had received a letter from him incidental to police brutality, the chief said he had, but had not replied because the mayor's office was investigating the case.

Discusses amendment–

Prison bond a savings–Patterson

The Birmingham News

BY CHARLIE GRAINGER, News staff writer

ANNISTON, Ala., Oct. 26—Calling a proposed prison bond issue a "savings to the tax-payers," Gov. John Patterson has spoken out strongly here for passage of Amendment No. 1 on the Dec. 5 statewide ballot.

The governor told a Chamber of Commerce luncheon crowd Wednesday that the prison system can be revamped cheaper than the present facilities can be kept up.

In fact, he said, he doesn't know a single one of the 45 constitutional amendments to be decided upon "that I have an objection to. They're very important to the people of Alabama."

He pointed out that several of the amendments to appear on the lengthy ballot would give counties a chance to vote on more money for schools from the local level.

THE GOVERNOR presided earlier over a quarterly meeting of the State Planning and Industrial Development Board, spoke to some 300 at the Chamber of Commerce Building and took a quick tour of Anniston's industrial bright spots.

He concentrated most of his luncheon address on accomplishments of his administration and industrial potential in Alabama. He also traced problems of school proration brought about by an economic decline in the state, which he pointed out has been a part of a national recession.

And in his first detailed public address on the $10 million prison bond issue, he pointed out that the proposed program is a product "of many years of study and research" and later "exhaustive studies by an 18-man legislative committee."

Patterson stressed that the new program of replacing what he called "an out-moded and antiquated system" with a system of separate facilities would make it possible to separate young offenders from hardened criminals.

"THE LARGEST PART of the prison population of 5,200 is made up of teen-agers," he said, "and they are entitled I think to a fair shake—another chance if we can provide an expanded rehabilitation program.

"They could get an education in prison, learn a trade and return to society as useful citizens," said Patterson. "This is a program to help people who are down and out and I think it is a worthy cause."

He explained that only about 150 of the prison population are dangerous criminals that would need to be confined in maximum security installations. The plan would provide minimum, medium and maximum security facilities.

"It costs us $65 a year to put a man on parole and $1,400 a year to keep him in prison," the governor said. "It behooves us all to help see that they are useful citizens when they return to society. It would not only help them but it would provide a savings to the taxpayers."

Earlier, the governor said at a meeting of the Planning and Industrial Development Board he feels there is "an excellent chance" that construction will begin on the proposed Tennessee-Tombigbee canal project during 1962.

TERMING THE NEED for linking the Tennessee River with streams leading to the Port of Mobile an economic necessity, Patterson said the long-sought project could make Mobile the greatest port city of the South.

And he emphasized that he is not taking sides in the competition between that water route and pushers for aconnecting link for the Tennessee and Warrior Rivers at Mulberry Fork.

"We are pushing all feasible plans," he said. "Maybe we can get one of them accepted and then someday both accepted."

The governor explained that the U. S. Corps of Army Engineers and Congress will make the ultimate decision, as to whether either of the routes will be constructed.

He is the newly-named chairman of the Tennessee-Tombigbee Development Association.

Patterson called 1962 the crucial year for the proposed Tennessee-Tombigbee project. He said he felt Congress would possibly appropriate funds for complete planning and some construction.

Either connecting link would open up a shipping avenue from Mobile into the Central United States, shortening the route by at least 1,000 miles.

At the board meeting, Leland Jones, board director, reported that expansion of existing industries and additions of new industries are running ahead of record-breaking 1960.



INDUSTRIAL GROWTH IS TOPIC AT ANNISTON FOR GOVERNOR, LEADERS es, Probate Judge Dan Gray, Gov. John Patterson and State Revenue Commissioner Guy Sparks. From left, Lowell Tyson, Leland Jon

He said 121 existing industries have expanded in the first nine months of this year and 69 new industries have come to the state.

Patterson called it "further proof that the industrial climate of this state is favorable."

Lowell Tyson, Anniston district board member, was host at the planning board meeting. Probate Judge Dan Gray headed the Chamber of Commerce program.

No opposition—

Alabama prison reform gaining

The B'ham News
B'ham, Ala.
Tues. 3-21-61

BY CHARLIE GRAINGER, News staff writer

The man carrying the message across Alabama for a sweeping program to rebuild and remold the state's prison system has found "no opposition" to the plan.

"I have spoken from the Gulf to the Tennessee, from the Chattahoochee to the Tombigbee, and we have found no opposition to the willingness to this program," said State Prison Commissioner A. Frank Lee.

He told a meeting of Jefferson County social workers last night that the 10-year, $10 million bond issue proposal to rebuild the prisons is gaining support daily.

If the measure gains legislative passage and approval in a statewide referendum, the general obligation bonds will be retired through the sale of Kilby Prison's surrounding property, Lee said.

"WE ARE OFFERING a plan that requires no taxation," he emphasized.

"We have 2240 acres of collateral of property too valuable to raise crops. And think of the tax value the property surrounding Kilby Prison will have once it is sold."

Under the proposal, the prison system would become a series of camps with security based on behavior of the prisoners and their past records. A maximum security unit, Lee said, would be necessary for only about 300 of the 900 men now in Kilby.

"This would take the young first offenders—boys 16 to 20 years old who have never been to prison—out of a prison where they are forced to adopt the prison code overnight.

"Picture your own son," Lee told the social workers. "Suppose he slips across the thin line into a criminal offense.

"IF HE HAS NOT already been brought up by sex fiends in county jails—and also raped—he will be in two or three weeks after he gets to prison, regardless of what we can do.

"This disgraceful condition," he said, "would be eliminated under this program."

Lee said the Legislature would also be asked this Summer to revamp the system of highway camps.

"We have 500 guards working in highway camps over which I have no jurisdiction whatsoever," he said. "They are under the Highway Department—yet I am responsible for the prisoners.

"And with all the current civil rights cases, suppose some guard conks a prisoner. The FBI comes in. I am the man responsible to them and I have absolutely no jurisdiction over them whatsoever."

Alabama, he said, is the only state in the Union in which the prison system does not have custodial jurisdiction over guards on work gangs.

Food caused man's death in Madison jail

The B'ham News
B'ham, Ala.
Tues. 3-7-61

MADISON, Ala., March 7—An autopsy showed that a 43-year-old Negro man died of strangulation in jail here early Sunday, Police Chief K. V. Kay said today.

First reports were that his death might have been caused by a fire which broke out in his cell.

Kay identified the victim as Buddy Cowan, an employe on the W. R. Dudley farm near here.

Kay said the Negro was picked up on a public drunkeness charge late Saturday night and placed in the jail.

About 1:20 a.m. Sunday, Kay said, he and Officer G. Simms returned to the jail and spotted a fire in Cowan's cell.

Kay said they found Cowan dead on the floor near a burning cotton matress.

Cowan had been left in the small jail unattended, according to Kay.

Kay said the autopsy showed the victim had strangled on food.

Shift Muslims in Wake Of Folsom Prison Riot

SACRAMENTO — The State Department of Corrections announced removal of 24 Negro National Muslims "to prevent violence," early ast week, to Soledad Prison, in Monterey County.

Reason—the Muslims sought to end discrimination in the segregated mess hall of the Folsom prison.

At press time it was announced that 11 white and four Negro prisoners had been placed in solitary confinement for their actions in seeking to end the separation of prisoners during meals in the Folsom mess hall.

ties of the black-supremacy Muslin cult.

"This has got beyond the Muslin point," Heinze said.

"some of these colored people are trying to take over. We are now seating them to our liking, not theirs."

Official prison policy is against segregation, but inmates traditionally have seated themselves in separate racial groups in the mess hall.

Heinze said, "we have to separate them now. We've got to stop this thing. We've got to stop this rambling around the mess halls." There are 3,000 inmates at Folsom.

RIGHT THING

Gov. Edmund G. Brown, at a Fresno news conference, said prison officials "took good care of the riot.

"They did the right thing by moving the trouble makers to soledad. Our prison officials are well seasoned and know what to do."

"I have no intention of looking into it," he added.

Folsom officials transferred 24 leaders of the Muslim cult to Soledad State Prison, on the central coast. Officials estimate there are 114 Muslims among the state's 22,000 prisoners.

They said it was not a punitive measure, but designed to keep order. Folsom is the state's maximum security prison. Soledad is rated as a medium security facility.

The incident Friday night was touched off, officials said, when a white convict, Joe C. Croffland of Alameda County, tossed his mess tray into a group of seated Negroes.

Scores of prisoners were involved in the ensuing melee in which more trays were hurled and warning shots fired from guards' revolvers.

No one was hurt in the breakfast incident Saturday, but one tray tore a hole in the prison's movie screen.

Race Riot Breaks Out In Prison

California Warden Uses Segregation To Curb Violence

FOLSOM, Calif. (AP) — Officials clamped on tight security and segregated feeding at Folsom Prison Saturday to meet the threat of a new racial violence.

Ten inmates were injured Friday night in a racial flareup which had to be broken up by warning shots. Six Negroes and four whites were hurt by flying trays and ricocheting bullets, none seriously.

A warning shot was fired again Saturday after a white inmate hit a Negro and a pile of breakfast trays was dumped on the floor.

The noon meal proceeded tensely, but without incident.

"I think we've got it pretty well controlled," said Warden Robert Heinze, "but you can't tell about these things."

TAKE OVER

The initial outbreak was attributed by prison officials to activi-

Bitter Dispute Spreads On Edited Film of Riot

By LEIF ERICKSON
Associated Press Staff Writer

SAN FRANCISCO, Mar. 2 — Rival defenders of American liberties are embroiled in a Nation-wide conflict of intensifying bitterness, roused by a pieced-together movie of the San Francisco City Hall student riot of last May 13.

The disturbances in the City Hall rotunda climaxed a protest demonstration by college students against a hearing by the House Un-American Activities Committee.

Sixty-four students from San Francisco area campuses were arrested after police turned fire hoses on the demonstrators inside City Hall. Riot charges against 63 were dismissed. The one remaining accused goes to trial next Monday.

The movie, "Operation Abolition," was put together from television newsreel clips subpoenaed by the committee.

The 45-minute film has been sold and shown in all the 50 States.

"Toying With Treason"

In the film, committee members declare the student demonstrators were "toying with treason" as the dupes of a Communist drive to destory the committee and wreck the Nation's security system.

Committee foes charge the film is a dishonest distortion. They call the movie the principal instrument of "vivid stimulus" spreading a grass roots revival of McCarthyism—without a personal leader like the late Red-hunting Senator Joseph McCarthy.

FBI Director J. Edgar Hoover said last summer that FBI investigation made it evident that students participating in the demonstration were incited and used as dupes by Communist subversives.

The violent disagreement has reached into churches, schools and industry across the Nation, and is continuing to spread.

Protests against the film have flared at universities and colleges across the country—at Rutgers, Harvard, Minnesota, Nebraska and on Indiana campuses.

Episcopal Bishop James A. Pike declared the movie's "distorted presentation" was encouraging a "growth of the radical right and its fellow travelers that has reached much greater proportions than in the days of McCarthy himself."

Dr. Fred C. Schwarz, Australian physician who heads the Christian Anti-Communist Crusade, with headquarters at Long Beach, Calif., declared: "Almost everyone who views the film with an open mind is most profoundly aroused and disturbed by it. It suggests the vulnerability of the student to the clever Communist agitator."

National Council Concerned

The National Council of Churches, meeting in Syracuse, N. Y., last week, voiced misgivings about the fairness of the film. It prepared an advisory to churches not to show the film without presenting supplementary facts about it.

The council said the film "does not contribute to a realistic understanding of communism and its dangers to the United States."

The Rev. Dr. Curtis Nims, pastor of San Francisco's First Baptist Church, resigned as director of the Northern California-Nevada Council of Churches in February because the council's board cautioned member churches about showing "Operation Abolition."

Dr. Nims said he was present when the City Hall violence erupted and believes the film "presents a fair representation of the deplorable events."

More than 600 print copies of the film have been sold, at $100 a copy, reported George Johnson, president of Washington Video Productions, Inc. Mr. Johnson said Fulton Lewis III, committee staff member and son of radio broadcaster Fulton Lewis, jr., edited the film and prepared the narration.

A judicial review of the hotly disputed film report on the riot may be written in the trial of Rovert J. Meisenbach, the one student against whom charges are still pending.

In dismissing charges against the others, Municipal Judge Albert A. Axelrod said, "I am convinced that they are not engaged in subversive activities, nor in spreading subversive propaganda.

"However, they chose the wrong means to accomplish their purpose and let themselves become victims of those who profit by creating unrest, riots and the type of conduct which is outlawed by the penal code."

Mr. Meisenbach, 22, Catholic-reared education senior at the University of California, is charged with beating a police officer on the head with the patrolman's own night stick.

"I believe all the facts surrounding the City Hall incident must be brought out to give him a fair trial," declared Jack Berman, Mr. Meisenbach's attorney.

"Neither Meisenbach nor any other student started the riot. The cause of the violence was the turning on of the hoses by the police without warning."

Robert Maurer, assistant district attorney, said the prosecution regards the trial as being strictly limited to the question—did or did not Mr. Meisenbach assault Patrolman Ralph Schaumleffel?

While the trial could shed light on what happened May 13, the bitter debate over authenticity of the film goes on and on.

2 D. C. Policemen Are Cleared Of Brutality in Author's Arrest

The Washington Post P. A3 Thurs. 11-16-61

By D. H. Louchheim
Staff Reporter

A police trial board yesterday cleared two rookie officers of beating and of abusing Leigh White, a 47-year-old author, during an arrest May 21.

The 3-man board, headed by Deputy Chief Henry H. Heflin, found Pvts. Charles K. Marlak and Raymond S. Melvin Jr., not guilty of either willful maltreatment of a prisoner or of conduct unbecoming an officer.

One specification against Melvin, that of using foul and abusive language, was dismissed on the recommendation of Assistant Corporation Counsel Louis P. Robbins.

White had charged that Marlak and Melvin, while off duty and in civilian jackets, attacked and beat him "for no apparent reason" as he was trying to hail a cab for a friend on the corner of 5th and East Capitol sts.

Marlak, 22, and Melvin, 21, testified during the 4-day hearing that White had assaulted them when they stopped their car to ask the author to step out of the center of East Capitol st.

The officers, who had been on the Force only three weeks at the time of the incident, said they were driving home from work when they stopped to question White. Marlak said White pulled him from the car and "began swinging. I struck back to protect myself," Marlak testified.

White, who lives at 1870 Wyoming ave. nw. and his friend David H. R. Mauzy, 42, of 517 3d st. ne., were arrested for being drunk and disorderly. The charges against White were nolle prossed in Municipal Court. Mauzy forfeited $20 collateral.

The trial board's ruling was handed down four hours after Heflin and the other members, 4th Precinct Capt. Norman Richardson and attorney Robert J. Harlan, met in closed session.

The finding will be submitted to Chief Robert V. Murray today for approval.

The lengthy hearing ended at 1 p. m. after Robbins and James J. Laughlin, counsel for the two accused officers, presented their final arguments.

Laughlin argued that White's allegations were uncorroborated and claimed they were brought only to heap discredit on the two young officers and the Metropolitan Police Department.

13f 1961

GEORGIA

7 Women Picket in Rain, Ask State Prison Reforms

The Atlanta Constitution
Atlanta, Ga.

By BARBARA MILZ

A handful of women bearing dripping signs marched on the Capitol Building Wednesday morning. But their target, Jack M. Forrester, director of the State Board of Corrections, didn't even know they were there.

"They could have come right on in to my office," he said, "my door is always open."

WOMEN GET WET

Instead, the women bearing signs such as, "We Demand Proper Supervision and Rehabilitation Programs Used by All Prison Officials," got wet.

One, who refused to identify herself, carried the sign, "Justice Must Be Tempered With Mercy," and appeared to be leader of the group.

She denied having any relative in Georgia prisons, but added, "I'll be here marching and carrying this sign every time I get a chance."

ONLY SEVEN SHOW UP

Originally, about 20 women were expected to picket the Capitol bearing signs urging prison reforms but only seven showed up.

"The rain, illness and car breakdowns kept most of them away," said Mrs. M. E. Andrews of 1801 Haddock, SW. "I haven't anyone in prison," she said, "but think it's time the people of Georgia got better treatment for their prisoners. They need vocational and educational programs as the federal government has for its prisons. We're not saying people aren't doing their job. We're just saying more needs to be done."

One marcher said, "I had a brother brought back in a little old box from Reidsville. They said he hung himself, but when we saw him, he had gashes in his head—it looked like somebody stuck picks in his head. My mother still can't stop thinking about it, and that was three years ago."

POINTS TO BIBLE

A small older lady, her sign's red paint mixing with the rain to form red rivulets down her arms, pointed out a worn Bible she carried. "I always have it with me wherever I go. I hope it helps here, too. I don't have anyone in prison, but I've read how bad things are."

None of the marchers would claim leadership, and each said she belonged to no organization. Most said, "I just got a phone call telling me to be here."

And they said they'll be back.



Staff Photo—Charles Jackson

WOMEN IN RAIN CARRY PICKET SIGNS AT CAPITOL
Say They Will Come Back Until Something Is Done

NEGRO FAMILY GIVEN RIGHT TO SUE POLICEMEN

Home Invaded During Slaying Probe

The United States Supreme court ruled yesterday that a Chicago Negro family may bring a civil damage suit in federal court against city policemen who searched the family home without a warrant and allegedly mistreated family members.

The court upheld the contention of James Monroe, his wife, and their six children and upset the ruling of federal District court and the United States Court of Appeals. The lower courts had ruled that the family had no remedy under the federal civil rights act of 1871.

Police Broke Down Doors

The Monroes, asking $200,000 damages, said 12 policemen headed by Capt. Frank Pape, then deputy chief of detectives, broke front and back doors of the Monroe apartment at 1424 S. Trumbull av. at 4:45 a. m. Oct. 29, 1958, during an investigation of a slaying.

The search, police said, was connected with the Oct. 27, 1959, slaying of Peter Saisi, 34, in the basement of Saisi' home. Subsequently, Saisi's wife, Mary, was sentenced to 60 years in prison, and her lover, Richard Lansing, was sentenced to life imprisonment for the murder of Saisi.

Monroe said a detective hit him repeatedly and called him names. He said he was then taken into police headquarters, put in lineups, questioned, denied permission to call an attorney, and released after 10 hours without a charge being made against him.

Apartment Ransacked

It was also contended that the apartment was ransacked and family members mistreated. The family moved later to 3339 Van Buren st.

Mrs. Saisi falsely told police that a Negro robber shot her husband to death, and police said the description she gave fitted that of Monroe.

The Supreme court decision was written by Justice William O. Doublas. It was unanimous except that Justice Felix Frankfurter dissented from the court's opinion that the suit could not be maintained against the city of Chicago, only against the policemen.

John C. Melaniphy, city corporation counsel, said he would make no comment until he reads the opinion.

Capt. Pape has taken a leave of absence from the police department to become chief security officer of the Arlington and Washington Park race tracks.

Officials Deny Rioting Report

Commercial Appeal
8-6

Only $30 Allocated For Repair Of Coahoma County Jail

Fri 8-4-61

Special to The Commercial Appeal

CLARKSDALE, Miss., Aug. 3. — Coahoma County officers Thursday denied there had been any riot in the jail here.

The county Board of Supervisors allocated only $30 for jail repairs during July, Chancery Court Clerk Tom Logan said. Mr. Logan also is clerk for the Board of Supervisors.

"If there's been a riot in this jail I don't know anything about it," said Deputy Sheriff Fitz Farris.

Memphis Tenn

The denial followed reports in Clarksdale that prisoners had staged a "near riot" on June 28, causing heavy damage to the jail.

Plumbing Damaged

Deputy Farris said a Federal prisoner being held in the jail had plugged up some plumbing in a bullpen holding six prisoners and had broken a commode and wash basin in late June. Mr. Faris said the jailer on duty that night had called him and the two of them had transferred the prisoners to other cells.

R. E. Bobo Jr., chairman of July session of the Coahoma County Grand Jury, said a Grand Jury committee had inspected the jail in early July and had reported the jail "in good order." Mr. Bobo said he did not serve on the inspection group but had appointed the committee.

Mr. Logan said of the $4,706.10 allocated for repair of county buildings only $30 was for jail repairs. Deputy Farris said this was for some plaster repair.

Not Paid For Yet

He said the commode and wash basin have not been repaired and said he did not know whether Federal funds will be used to replace the items since a Federal prisoner was involved. County prisoners were also in the cell.

The jail is approved by Federal inspectors for detention of Federal prisoners.

Mr. Loga nsaid $2,452 was allocated in July for a fire loss to a county-owned house at Lula occupied by the operator of a county road grader. Another $1,016.69 went for repairs to the central air conditioning in the county-owned office building occupied by county agent, home demonstration agent and others.

Charge Maltreatment In Death Of Negro

CLARKSDALE, Miss. (UPI)—A white man is serving a 30-day jail sentence for maltreatment of a Negro prisoner a few hours before his death, it was learned Friday.

Pat Williams, who was hired by Coahoma county to oversee its prisoners on work details, was accused of beating the Negro with a switch and refusing to get medical aid when he had a heat stroke.

The Negro, Lover Stapleton of Detroit, died in the jail soon after returning from a work project where the incident occurrde last August.

Williams was sentenced and fined $100 Feb. 2 after being indicted and convicted for "maltreatment of a prisoner."

Authorities were hesitant to discuss the case, which came to light when a Methodist minister wrote about it in a letter to a newspaper.

But it was learned that the indictment charged Williams with striking Stapleton about the shoulders with a switch. The indictment said Stapleton had a heat stroke and, instead of taking him to a doctor, Williams left him in a truck for 90 minutes.

In his letter, the Rev. Murray Cox of Gulfport said a death sentence would have resulted if the accused were a Negro and his victim a white man.

"Such incidents stir up anger on the part of Negroes," said Cox, who is chairman of the civil rights commission's state advisory committee.

Cox called the sentence "ridiculously light" but he said he was not recommending a death sentence for Williams.

Williams, he said, "was a victim of circumstances, a victim of hate and race prejudice fostered by public opinion, and by those persons and groups that create public opinion, and by all of us who allow such incidents to take place without raising our voices in protest."

Cox said, "It is time for us to give some consideration" to the rights.

Overseer Jailed In Negro's Death

Coahoma Prisoner Died Of Heat Stroke Last August

Special to The Commercial Appeal

CLARKSDALE, Miss., Feb. 24.—A white man is serving a 30-day sentence in Coahoma County jail here after being convicted of maltreatment of a Negro prisoner who died of a heat stroke in the jail last August, it was learned Friday.

The prisoner, Lover Stapleton, 42, of Chicago, died last Aug. 1 after being brought in from a work detail in which prisoners were cleaning a ditch bank on a county road, the Coahoma County sheriff's office reported.

The sheriff said a coroner's jury, which included a Negro member, asked for an autopsy to determine cause of death. He said the autopsy, performed by a Memphis pathologist, showed that death resulted from a heat stroke.

Jailed Feb. 2

The man in charge of the work detail, Pat Williams, began serving his jail sentence Feb. 2, Sheriff L. A. Ross said.

According to the sheriff's office, Stapleton became ill Aug. 1 while on the work detail and was placed in the shade of a truck. He was carried back to the jail about an hour and a half later and walked, with aid, into the jail.

A physician was called as were an ambulance and a fire department respirator. All were in attendance when the Negro died about 6 that night.

The coroner's jury was then called and Dist. Atty. Hoke Stone of Lambert also was notified and helped conduct the investigation.

The sheriff's office said there was no indication that Stapleton had been mistreated.

No Medical Treatment

The charge was centered around the fact that the prisoner did not immediately get medical treatment when he became ill, the sheriff's office said.

Williams did not contest the charge—and was fined $100 and given the 30-day sentence by Circuit Judge Ed Green.

Stapleton had been arrested in Clarksdale and convicted of drunken driving and carrying a concealed weapon.

Sheriff Ross said Williams had been employed by the county to oversee prisoners and work details for about two years.

13f 1961 NEW YORK

Sing Sing Prisoners Sit-In For Change In Time-Off Law

The Montgomery Advertiser p. 1
Thurs 1/26/61

OSSINING, N.Y. (AP) — More than 30 per cent of the 1,700 inmates of Sing Sing Prison staged a sit-in strike in their cells Wednesday. There was no disorder but the demonstration brought prison industries to a halt.

The 16 inmates awaiting execution in the Sing Sing death house were not involved in the strike. They are isolated from the other prisoners and handled separately.

State Correction Commissioner Paul D. McGinnis hastened here from Albany to confer with Warden Wilfred L. Denno on the situation.

Montgomery Ala.

WIDELY KNOWN

The sit-in, revolving around the policy of time off for good behavior, was the latest of a series in state prisons. It followed demonstrations at Auburn and Green Haven prisons.

Sing Sing is a grim 136-year old institution on the east bank of the Hudson River not far above New York City. Books and movies have made it probably the best-known state prison in the nation.

At the 7 a.m. breakfast call 1,451 of the inmates stayed in their cells. Later, 177 of these defected long enough for lunch, after receiving assurance from officials that they would be allowed to return to their cells.

Denno said the demonstration was not a hunger strike. He said the striking prisoners were "not doing anything—just lying around their cells."

Prison industries were crippled by the demonstration. The inmates turn out wire trash baskets, brooms and other products for municipalities and state agencies.

Warden Denno said the strikers were protesting the policy concerning good behavior.

13f 1961

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The Montgomery Advertiser

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Thurs 11-16-61

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Sing Sing Convicts Stage Sit-In Strike

The New York Times

By MERRILL FOLSOM

Special to The New York Times.

OSSINING, N. Y., Nov. 15—Convicts at Sing Sing Prison staged a sitdown strike today to press a demand that time off for good behavior be made mandatory.

P. 1

In the most widespread demonstration in the prison in many years, 1,451 of the 1,747 convicts refused to leave their cells for breakfast or to report for work.

Thurs, 11-16-61

The outbreak continued tonight. Only 450 inmates went to the mess hall for supper. Food was taken to the others in their cells by convicts who did not take part in the demonstration.

Herald Tribune May

Prison officials said they did not know whether the men would continue the strike tomorrow.

The New York

At the demand of convict spokesmen, Paul D. McGinnis, State Commissioner of Correction, went to the prison from Albany during the day to talk with a delegation of inmates. Then Mr. McGinnis and Warden Wilfrid L. Denno spoke to the prisoners over the public address system.

Thurs 11-16-61

The convicts also presented to the warden a petition listing their demands.

Mr. Denno said later that the demonstration had been orderly —"nothing resembling what happens in the movies."

This was corroborated by Mr. McGinnis.

"They want no violence," he said. "They are making a peaceful protest and they known I am looking into the problem."

The prisoners' complaint was that the parole board was under no obligation to take good conduct—which can shorten a minimum sentence by as much as one-third — into consideration. They asked that this "good time" be guaranteed, and that maximum sentences be shortened—as when a man receives five to ten years—once a prisone rhas earned time off for good conduct.

Begins at 7 A. M.

The demonstration began without apparent warning at 7 A. M. in the gray-walled state prison on the Hudson when the corridor bells in the cell blocks rang and the barred cell doors clanked open.

All of the 1,747 prisoners except sixteen awaiting execution in the death house and a few on special assignments customarily leave their cells at that hour to have brekfast. They then report to their work assignments, makin garbage cans, knit goods and other items or working on maintenance assignments.

However, today 1,451 of the inmates remained in their cells despite the repeated urging of the ninety guards. Only 280 went to breakfast in the mess hall.

The men remained in their cells throughout the morning, talking quietly. At lunch, only 418 went to the mess hall, many agreeing to leave their cells only after guards had promised to allow them to return immediately after eating.

Negro Cult Wages Drive In Prison

The Montgomery Advertiser

Montgomery Ala

NEW YORK (AP)—Negro Muslim prisoners demanding concessions for the practice of their version of the Islamic religion are reported making a widespread legal attack on New York State's prison system.

The New York Times said Sunday more than 100 court actions have been brought by inmates, many of whom were converted to their Muslim beliefs while in prison. Half of the 19,500 inmates of New York State prisons are Negroes.

Most of the cases involve members of the Lost-Found Nation of Islam In North America, of which Elijah Muhammad is the leader, the Times said.

OFFICIALS CONCERNED

State officials were reported concerned by the development, partly because of the administrative trouble and expense caused by the cases but primarily because of fear they may be facing an explosive situation.

In October 1959, the State Correction Department said a hard core of Negroes in at least three state prisons was trying to persuade other Negro inmates to join the movement.

The department spokesman said at that time: "It is our opinion they are not religiously sincere—that they have ulterior motives." He said members of the sect wanted to "practice what they call their religion at any time of day or night," to wear "adaptations of Arabic garments," and have special diets.

In Albany, a Correction Department spokesman said there are approximately 100 Muslims in New York state prisons.

He pointed out that all court decisions thus far had upheld the department. He said each of the suits accused the department of denying inmates their right of religious freedom, and he termed this a "popular cause."

These suspicions were given added weight in the light of recent reports of strife in prisons in California, Alabama in which members of the Black Muslim sect figured.

In Montgomery, Alabama prisons director Frank Lee said "We certainly have not had any such trouble. I have no idea where they got that."

These suspicions were given added weight in the light of recent reports of strife in prisons in California and Alabama in which members of the Black Muslim sect figured.

Among other things, the Times said, the prisoners are asking the right to receive visits from officials of the Temple of Islam in New York City, to hold meetings within the prison, and even to build a temple within the prison yard.

REFUSED COMMENT

The Times said State Correction Commissioner, Paul D. McGinnis, a defendant in some of the actions, has refused to comment while the issues are being tried.

However, the newspaper reported a federal judge has termed the cases "a movement" lacking spontaneity, and a state official has described the suits as "a concerted action . . . to test the powers of the commissioner of correction."

State Atty. Gen. Louis Lefkowitz, charged with opposing the court actions, has had to deploy his forces in federal and state courts throughout the state, the Times said.

It also reported that because of the growing problem, a central file on the activities of Muslim prisoners has been established in Albany in the care of Asst. Atty. Gen. Joseph J. Rose.

13f 1961 TENNESSEE

Prison Rioters Seize Hostages

The Washington Post

BULLETIN

NASHVILLE, Tenn., Aug. 17 (UPI)—Rebellious convicts holding hostages at the state prison commissary surrendered shortly after 6 p. m. tonight, it was reported.

Fri. 8-18-61

By Duren Cheek

NASHVILLE, Tenn., Aug. 17 (UPI)—Hard-core convicts waving homemade "zip" guns seized a group of hostages at the state prison today and barricaded themselves in the commissary to protest alleged lack of recreation and "brutality" by guards.

The prisoners, including a leader in a 25-hour reign of terror only 17 months ago, said they wouldn't hurt the hostages—mostly prison employes—"as long as guards don't try to rush." If they are rushed, the desperate men warned, they would "sacrifice somebody."

Washington

At midafternoon, however, officials hustled tear gas and masks into the high-walled prison and called for an Army tank to be brought up.

D.C.

Won't Talk to Warden

The prisoners refused to talk to Warden Lynn Bomar and said they wanted to negotiate with someone "higher up." Corrections Commissioner Keith Hampton, one of the men they named, arrived several hours later. He said a total of 33 persons were in the commissary—25 prisoners, five guards and three commissary clerks. He did not further break down the list.

Shortly after the outbreak at 10:05 a. m. (CST) the prisoners told United Press International by telephone from their stronghold that they were six and were holding about 30 hostages. Later they said there were only four rebels. Two of the hostages were released not long after the outbreak, one because he was ill and the other because he was due to get out of prison next week.

Prisoners Identify Selves

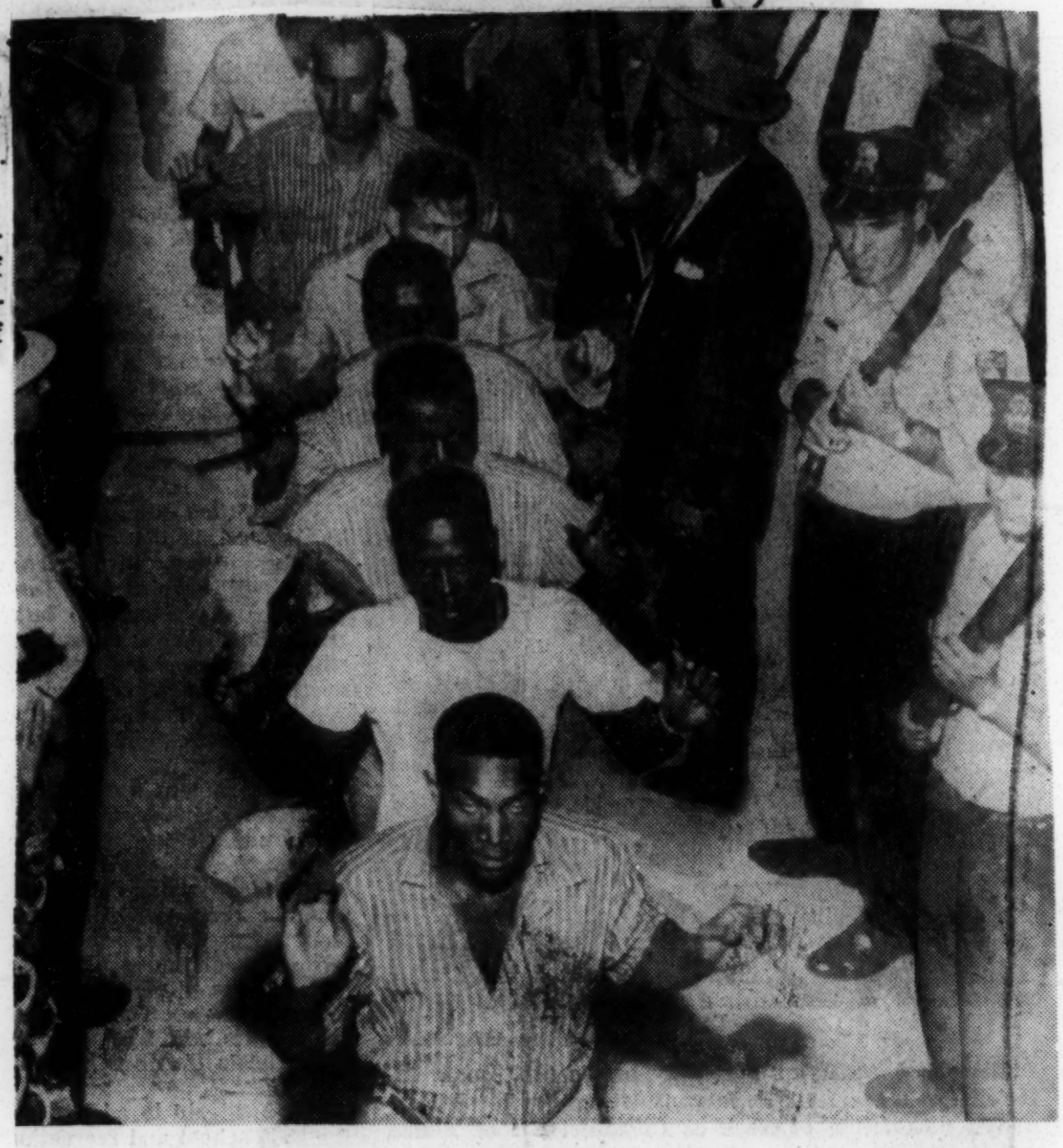
The prisoners identified themselves to UPI as Raymond Farra, one of the leaders of the outbreak in March, 1960, who is serving a life sentence for armed robbery and kidnaping; Robert Bohannon, serving 3-5 years and classified as an incorrigible juvenile; John Bohannon, serving 45 years for first degree murder, a brother of Robert, and Frank Sanders, who said he had been in prison for 25 years for armed robbery.

State Safety Commissioner Greg O'Rear said he understood the conspirators included Robert Rivera, another ringleader who talked with UPI reporter Richard Pace. Later, officials said they believed Rivera was a hostage.

Third Major Outbreak

The violence was the third major outbreak at the white-walled prison, located on the outskirts of Nashville, in the past 17 months. The March, 1960, siege was followed in July of 1960 by a disturbance in which prisoners set fire to a shop at the prison in what was believed to be an escape attempt.

Warden Bomar said all other prisoners were herded back into their cells after the outbreak. The prison has a capacity of 4000 prisoners.



Associated Press

Tennessee State Penitentiary officials herd these prisoners back to their cell during a revolt in the Nashville institution yesterday in which a small group of inmates grabbed hostages and holed up in the prison commissary.